

STAND. COM. REP. NO.

1478

Honolulu, Hawaii

MAR 21, 2025

RE: S.B. No. 1100  
S.D. 2  
H.D. 2

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committee on Consumer Protection & Commerce, to which  
was referred S.B. No. 1100, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BIOSECURITY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Rename the Department of Agriculture as the "Department of Agriculture and Biosecurity" and the Board of Agriculture as the "Board of Agriculture and Biosecurity";
- (2) Establish a Deputy Chairperson for Biosecurity;
- (3) Require the Chairperson of the Board of Agriculture and Biosecurity to establish a Biosecurity Emergency Response Program that, among other things, can utilize biosecurity emergency response teams and volunteer emergency biosecurity disaster response personnel if a biosecurity emergency occurs;
- (4) Authorize the Department of Agriculture and Biosecurity to establish transitional facilities where imported



articles first received may be stored while being inspected;

- (5) Require the Department of Commerce and Consumer Affairs to license and train biosecurity inspectors;
- (6) Require inspection, labeling, and any necessary disinfection or quarantine of various items transported interisland;
- (7) Increase penalties for illegally importing or transporting plants, animals, and microorganisms;
- (8) Require the Department of Agriculture and Biosecurity to establish government-industry agreements with businesses to prevent, detect, and respond to unwanted organisms in Hawaii and an invasive species dashboard to provide public, real-time data on treatment areas;
- (9) Authorize the submission of pest management plans that, if implemented, could address, contain, or eradicate pests;
- (10) Authorize the Department of Agriculture and Biosecurity to adopt rules to establish and enforce the Plant Care Component Program; and
- (11) Appropriate funds for biosecurity efforts and programs, including the establishment of certain positions.

Your Committee received testimony in support of this measure from the Department of Agriculture; Sugarland Farms, Inc.; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; Hawai'i Forest Industry Association; Maui Chamber of Commerce; and three individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Harbors Users Group and two individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; Department of Land and Natural Resources; Pest Control Board; Hawai'i Invasive Species Council; Sierra Club of Hawai'i; Matson Navigation Company, Inc.; The Nature Conservancy, Hawai'i and Palmyra; Retail Merchants of Hawaii; Coordinating Group on Alien Species; Hawai'i Ant Lab; Kaua'i Invasive Species Committee; O'ahu Invasive Species Committee; and numerous individuals.



Your Committee finds that invasive species pose a tremendous threat to the State's environment, agriculture, and economy. Each year, new pests threaten local food production, native ecosystems, and public health. A strong biosecurity program is therefore essential to prevent new invasive species from entering the State and manage those already here.

Your Committee further finds that Acts 197 and 231, Session Laws of Hawaii 2024, bolstered agriculture biosecurity in the State under the jurisdiction of the Department of Agriculture. Your Committee further finds that given the Department of Agriculture's growing role in protecting the State from invasive species, it is appropriate for the name of the Department to change to reflect its expanding priorities.

Your Committee also finds that H.B. 427, H.D. 2 (Regular Session of 2025), a substantially similar measure, was previously passed by the House.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. 427, H.D. 2, a measure that:
  - (A) Renames the Department of Agriculture as the "Department of Agriculture and Biosecurity" (Department) and the Board of Agriculture as the "Board of Agriculture and Biosecurity" (Board);
  - (B) Establishes and appropriates funds for a Deputy Director of Biosecurity;
  - (C) Changes references to the plant and animal declaration form to the "biosecurity form";
  - (D) Authorizes and specifies conditions under which the Department may declare a biosecurity emergency, during which the Department and Governor may take certain actions to prevent the establishment or spread of pests and prohibited or restricted organisms;



- (E) Broadens the objectives and general actions of the Biosecurity Program;
  - (F) Appropriates funds for positions for the Department; and
  - (G) Takes effect on July 1, 3000;
- (2) Amending the composition of the Board to add two more at-large members and specifying that two members of the Board must have experience in biosecurity;
  - (3) Inserting language that conforms all Acts passed during the Regular Session of 2025 to include the amendments changing the names of the Department and Board and the composition of the Board;
  - (4) Inserting language that ensures that deeds, leases, contracts, loans, agreements, permits, or other documents remain in full force and effect with respect to the name changes effectuated by this measure;
  - (5) Inserting language that ensures the continuity of rules, policies, procedures, guidelines, and other material remain in full force and effect with respect to the name changes effectuated by this measure;
  - (6) Authorizing the Chairperson of the Board to designate any area for quarantine if the area is known or reasonably suspected to be infested with a newly detected invasive species or pest, a new population of an invasive species or pest, an invasive species or pest that is being actively controlled in the State, or a prohibited or restricted organism, to prevent the movement of materials to or from the location;
  - (7) Requiring the Department to establish, no later than December 1, 2025, an invasive species dashboard that provides real-time data and information for treatment areas and requiring the Department to update the dashboard regularly;



- (8) Authorizing the submission of pest management plans that, if implemented, could address, contain, or eradicate pests; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1100, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1100, S.D. 2, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



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SCOT Z. MATSUMOTO, Chair



H5CR 1478

Bill/Resolution No.: <b>SB1100, SD2, #D1</b>		Committee Referral: <b>AGR, CPC, FIN</b>		Date: <b>3/19/25</b>	
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)					
CPC Members		Ayes	Ayes (WR)	Nays	Excused
1. MATAYOSHI, Scot Z. (C)		✓			
2. CHUN, Cory M. (VC)		✓			
3. ILAGAN, Greggor					✓
4. ICHIYAMA, Linda		✓			
5. IWAMOTO, Kim Coco			✓		
6. KONG, Sam Satoru		✓			
7. LOWEN, Nicole E.		✓			
8. MARTEN, Lisa					✓
9. TAM, Adrian K.		✓			
10. PIERICK, Elijah				✓	
TOTAL (10)		6	1	1	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)					
Vice Chair's or designee's signature: _____					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					