

Honolulu, Hawaii

FEB 12 2025

RE: S.B. No. 140
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 140 entitled:

"A BILL FOR AN ACT RELATING TO INVASIVE SPECIES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit the importation of firewood into the State, except for firewood that meets certain standards;
- (2) Require certain labels on firewood that is imported into the State;
- (3) Authorize the Department of Agriculture to permit or deny the importation or sale of firewood under certain circumstances; and
- (4) Require persons who import firewood into the State to maintain, and make available on request, records of imports for at least two years.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of the Mayor of the County of Maui, Hawaii Invasive Species Council, Big Island Invasive Species Committee, Coordinating Group on Alien Pest Species, and three individuals.



Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the introduction and spread of invasive species in the State has grown with the increase and expansion of global trade. Your Committee recognizes that imported firewood can harbor invasive species and pathogens that can threaten the agricultural economy and fragile ecosystems of the State. Your Committee further finds that properly treating and labelling imported firewood before it is distributed within the State would help prevent invasive species from entering and spreading throughout the State. This measure bolsters efforts to protect the State against invasive species by regulating the importation of firewood.

According to testimony received by your Committee, because firewood harvested within the State is exempted from this measure, regulating the movement and sale of imported firewood is unnecessary since it would need to be treated or authorized by the Department of Agriculture before arrival into the State. Your Committee also has heard concerns from the Department of Agriculture that there may be circumstances, unforeseen and otherwise, that require the importation of untreated firewood. Your Committee also recognizes that the Department of Agriculture already possesses the authority to amend and cancel permits for the importation of other regulated commodities under certain circumstances. Amendments to this measure are therefore necessary to address these issues.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have regulated the transportation and sale of imported firewood;
- (2) Clarifying that the importation of firewood may be authorized by a permit issued by the Department of Agriculture before importation;
- (3) Deleting language that would have limited the Department's authorization of imported firewood to persons operating under a compliance agreement or other contract with an appropriate federal or state agency;



- (4) Deleting duplicative language regarding the Department of Agriculture's authority to revoke an exemption to import firewood due to a change in risk assessment; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 140, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 140, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Respectfully submitted on
behalf of the members of the
Committee on Agriculture and
Environment,



MIKE GABBARD, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.: <div style="font-size: 1.2em; font-family: cursive;">SB140</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">AEN, CPN</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/5/25</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended <small>2312</small></div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments <small>2311</small></div> <div style="text-align: center;"><input type="checkbox"/> Hold <small>2310</small></div> <div style="text-align: center;"><input type="checkbox"/> Recommit <small>2313</small></div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	<div style="font-size: 1.5em; font-family: cursive;">X</div>			
RICHARDS, III, Herbert M. "Tim" (VC)	<div style="font-size: 1.5em; font-family: cursive;">X</div>			
DECOITE, Lynn	<div style="font-size: 1.5em; font-family: cursive;">X</div>			
RHOADS, Karl	<div style="font-size: 1.5em; font-family: cursive;">X</div>			
AWA, Brenton	<div style="font-size: 1.5em; font-family: cursive;">X</div>			
TOTAL	<div style="font-size: 1.5em; font-family: cursive;">5</div>	<div style="font-size: 1.5em; font-family: cursive;">0</div>	<div style="font-size: 1.5em; font-family: cursive;">0</div>	<div style="font-size: 1.5em; font-family: cursive;">0</div>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;"> </div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div style="text-align: center;">Distribution: Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes