

Honolulu, Hawaii

FEB 10 2025

RE: S.B. No. 252
S.D. 1

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

Sir:

Your Committees on Agriculture and Environment and Commerce and Consumer Protection, to which was referred S.B. No. 252 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Expand the Department of Agriculture's authority to conduct certain investigations; and
- (2) Clarify certain penalties to prevent the spread of invasive species in the State.

Your Committees received testimony in support of this measure from the Department of Agriculture, Hawaii Invasive Species Council, O'ahu Invasive Species Committee, Coordinating Group on Alien Pest Species, Hawai'i Farmers Union United, Sierra Club of Hawai'i, Free Access Coalition, Kupuna for the Mo'opuna, Green Party of Hawai'i, and fifty-five individuals.

Your Committees received comments on this measure from Matson Navigation Company, Inc.

Your Committees find that one of the largest gaps in Hawaii's biosecurity is the lack of authority for any agency to inspect



non-agricultural commodities entering the State through domestic ports. According to testimony received by your Committee, this measure provides the Department of Agriculture with new tools that can be implemented through its existing capacity. This measure will therefore allow the Department of Agriculture to carry out its responsibilities to effectively eradicate, control, and prevent new and existing invasive species from entering the State, while protecting local agricultural systems and preserving native species and the environment.

Your Committees have amended this measure by:

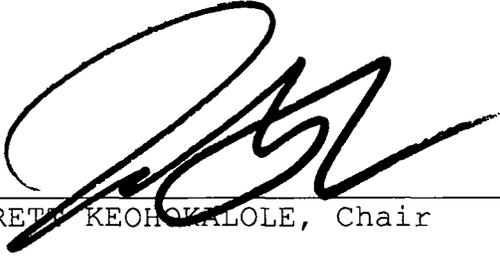
- (1) Clarifying that the importation of certain materials is prohibited unless appropriate authorization is obtained from the Department of Agriculture before importation, rather than requiring a permit or compliance agreement;
- (2) Clarifying that the penalties for violations extend to animals and microorganisms that are not listed under Hawaii Administrative Rules;
- (3) Deleting language that would be duplicative of existing Hawaii Administrative Rules;
- (4) Increasing fines for initial violations of section 150A-5, Hawaii Revised Statutes, to not less than \$100 and not more than \$10,000, and for a second violation committed within five years of a prior violation, increasing fines to not less than \$500 and not more than \$25,000;
- (5) Inserting language that establishes an unspecified range of fines for second violations of sections 150A-6(3), 150A-6(4), or 150A-7(b), Hawaii Revised Statutes, within five years of a prior violation; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B.



No. 252, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 252, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Agriculture and Environment and Commerce and Consumer Protection,



JARRETT KEOHOKALOPE, Chair

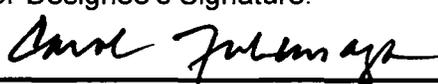


MIKE GABBARD, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB252	Committee Referral: AEN/CPN, JDC/WAM	Date: 1/29/25		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.	✓			
RICHARDS, III, Herbert M. "Tim"				✓
AWA, Brenton				✓
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes