

**JOSH GREEN, M.D.**  
Governor

**SYLVIA LUKE**  
Lt. Governor



**SHARON HURD**  
Chairperson, Board of Agriculture

**DEAN M. MATSUKAWA**  
Deputy to the Chairperson

State of Hawai'i  
**DEPARTMENT OF AGRICULTURE**  
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**TESTIMONY OF SHARON HURD**  
**CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE**

**TUESDAY, MARCH 18, 2025**  
**2:05 PM**  
**CONFERENCE ROOM 329 & VIDEOCONFERENCE**

**SENATE BILL NO. 1100, SD2, HD1**  
**RELATING TO INVASIVE SPECIES**

Chair Matayoshi, Vice Chair Chun, and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 1100, SD2, HD1, relating to biosecurity. This bill renames the Department of Agriculture as the Department of Agriculture and Biosecurity; establishes a Deputy Chairperson for Biosecurity; requires the Department of Agriculture and Biosecurity to establish an emergency response team to respond to biosecurity events; authorizes the department to establish transitional facilities and private inspectors to inspect imported plants and animals; requires inspection of various items transported interisland; increases penalties for illegally transporting plants, animals, and microorganisms; requires the department to establish government-industry agreements to detect and respond to unwanted organisms in Hawai'i; authorizes pest management plans to address, contain, or eradicate pests; transfers the Invasive Species Council from the Department of Land and Natural Resources to the Department of Agriculture and Biosecurity; authorizes the Hawaii Department of Agriculture and Biosecurity to adopt rules to establish and enforce the plant care component program; authorizes the Department of Agriculture and Biosecurity to assess administrative penalties for the enforcement of the program; and appropriates moneys.



The Department is in support of this measure, and offers comments and suggested changes. The Department appreciates the emphasis on biosecurity as reflected by renaming the Department of Agriculture and Board of Agriculture to include “and Biosecurity” as part of the respective titles and making the same changes throughout the HRS, including permanent funding of the positions that were created under Act 231, SLH 2024. Section 19 of this bill further emphasizes biosecurity by establishing a new position with funding within the Department for a Deputy Chairperson of Biosecurity through a new section of HRS 141, further enabling the Department to maintain biosecurity activities.

The Department is appreciative of the distinction between the licensed biosecurity inspectors and the existing Plant Quarantine Branch Inspector series. On Page 43, beginning on line 17, regarding the use of the Department of Commerce and Consumer Affairs (DCCA) as the licensing agency for the biosecurity inspectors, the Department is concerned that it is completely omitted from this entire section, noting that DCCA does not have any expertise as it relates to the identification of pests or operational procedures should a pest be detected. To address this and create consistency with the new section HRS 150A-E, the Department suggests the following changes to ensure biosecurity issues are addressed properly. On page 44, beginning on line 1, the Department suggests the following changes:

- (1) The detection and identification of diseases, infections, infestations, and other ~~[subjects]~~ pests that the department ~~[of commerce and consumer affairs]~~ deems relevant; and
- (2) Procedures following the detection or identification of a disease, infection, infestation, or other ~~[subject]~~ pest that the department ~~[of commerce and consumer affairs]~~ deems relevant.

Because the Department is not managing the licensure of the biosecurity inspectors, the Department has no way of knowing who is licensed for a particular transitional facility and how many individuals are licensed in each transitional facility. The Department suggests the addition of a new subsection to HRS 150A-D to address this:

(h) The department of commerce and consumer affairs shall provide the department of agriculture with access to all information related to licensed biosecurity inspectors, including those that previously held a license, but do not currently have a valid license.

~~[(h)]~~ (i) The department of commerce and consumer affairs shall adopt rules under chapter 91 for purposes of this section.

In conjunction with the changes to the licensure of biosecurity inspectors from the Department to the DCCA, the Department suggests inclusion of a new subsection to HRS 150A-C to enable DCCA to know who has a valid transitional facility license so they can implement their biosecurity inspector licensing program:

(e) The department of agriculture shall provide the department of commerce and consumer affairs a list of all transitional facility licenses, including any necessary information, to appropriately license biosecurity inspectors pursuant HRS 150A-E.

Alternatively, the creation of a professional board, such as the Pest Control Board pursuant to HRS 460J, would appear to address the aforementioned issues of licensing content or notification between the agencies as the Department would presumably be a member of the newly created board and would communicate directly with DCCA enabling both agencies to obtain the necessary information to implement this section.

The Department appreciates the proposed changes to HRS 150A-8 contained in section 27 of this measure, clarifying the specific commodities that are subject to inspections and clarifying when an inspection may occur.

Regarding the creation of the new section HRS 150A-F regarding government-industry agreements for readiness and response, starting on page 70, line 15, the Department suggests some changes for clarification including changes to HRS 150A-F(b)(2)(B) to ensure minimization of impacts to agricultural industries; removing “overseas” as this generally refers to foreign countries and access to U.S. mainland markets should also be accommodated; and changing all references of “unwanted organisms” to “insects, diseases, pests, or other organisms not known to occur in the State” as listed below:

- (b) The agreements shall include:
  - (1) Readiness activities that:
    - (A) Prevent ~~[unwanted organisms]~~ insects, diseases, pests, or other organisms not known to occur in the State, from entering the State; and
    - (B) Detect ~~[unwanted organisms]~~ insects, diseases, pests, or other organisms not known to occur in the State; and
  - (2) Response activities that:
    - (A) Facilitate the immediate investigation of an ~~[unwanted organism]~~ insect, disease, pest, or other organism not known to occur in the State, after detection, including timely reporting;
    - (B) Minimize the impact of the ~~[unwanted organism]~~ insect, disease, pest, or other organism not known to occur in the State, on agricultural industries, natural and physical resources, human health, and ~~[overseas]~~ market access for Hawaii products;

- (C) Control the spread of an [~~unwanted organism~~] insect, disease, pest, or other organism not known to occur in the State;
- (D) Reduce the geographical distribution of an [~~unwanted organism~~] insect, disease, pest, or other organism not known to occur in the State;  
and
- (E) Eradicate the [~~unwanted organism~~] insect, disease, pest, or other organism not known to occur in the State.

Regarding the new section HRS 150A-G on page 71, beginning on line 16, regarding the creation of an invasive species dashboard, while the Department agrees with the intent, parts of this section appear to overlap with some of the existing requirements in HRS 141-3.5(d). For clarity, the Department suggests that HRS 141-3.5(d)(2), (3), and (4) be incorporated into this section with the use of a real-time dashboard for the information, or place HRS 150A-G into 141-3.5(d) with the use of a real-time dashboard.

On Page 72, Line 11, the Department supports the intent of the proposed HRS 150A-H regarding Pest management plans as this section seeks to provide a process that would enable anyone to potentially deem a specific organism as a pest and to vet specific management plans for said pest. However, the Department has some concerns that this section would conflict with 4-69, HAR and would require the Department's Plant Quarantine Branch to implement and maintain a control or eradication program pursuant to HRS 141-3.5, for each pest designated in this manner. On page 74, line 2, the Department also suggests the inclusion of a review by the Advisory Committee on Plants and Animals (Committee). Pursuant to HRS150A-10, the Committee "shall advise and assist the department in developing or revising laws and regulations to carry out and effectuate the purposes of this chapter. . .". The proposed change is as follows:

(c) At a public hearing, after review and recommendation by the advisory committee on plants and animals, the board shall approve the proposed plan, deny the proposed plan, or approve the proposed plan with modifications.

The Department is in strong support of the funding for the positions contained in Act 231, SLH 2024, as this was an important milestone in cementing biosecurity as an investment priority for the State. Continued funding of these 44 positions in the Department's Plant Quarantine, Plant Pest Control, and Pesticides Branches enables the Department to increase its ability to manage the introduction and spread of pests; ensure that pesticide use is safe and appropriate for public health and safety; and implement and maintain eradication, control, management, and biocontrol projects for existing pests across the State. The proposed increases in Plant Quarantine Branch staff for prevention and the plant care component program are also critical for the State's overall biosecurity efforts.

Lastly, the Department is extremely appreciative of the phased implementation of the measures contained within this bill, enabling the Department to create the educational pathways to hire, train, and retain a large number of qualified individuals for the added positions, and to create the necessary rules for program implementation of the emergency response program, transitional facilities, and plant care component programs.

Thank you for the opportunity to testify on this measure.

**Testimony of the Pest Control Board**  
**Before the**  
**House Committee on Consumer Protection & Commerce**

**Tuesday, March 18, 2025**  
**2:05 p.m.**  
**Conference Room 329 and Videoconference**

**On the following measure:**  
**S.B. 1100, S.D. 2, H.D. 1 RELATING TO BIOSECURITY**

Chair Matayoshi and Members of the Committee:

My name is Lei Ana Green, and I am the Executive Officer of the Pest Control Board (Board). The Board will review this bill at its next publicly noticed meeting which is currently being scheduled, and for now offers the following comments.

The purposes of this bill are to: (1) rename the Department of Agriculture as the Department of Agriculture and Biosecurity (Department); (2) establish a Deputy Chairperson for Biosecurity; (3) require the Department to establish an emergency response team to respond to biosecurity events; (4) authorize the Department to establish transitional facilities; (5) require the Department of Commerce and Consumer Affairs to license and train biosecurity inspectors to inspect imported plants and animals; (6) require inspection of various items transported interisland; (7) increase penalties for illegally transporting plants, animals, and microorganisms; (8) require the Department to establish government-industry agreements to detect and respond to unwanted organisms in Hawai'i; (9) authorize pest management plans to address, contain, or eradicate pests; (10) authorize the Department to adopt rules to establish and enforce the Plant Care Component Program; (11) authorize the Department to assess administrative penalties for the enforcement of the program; and (12) appropriate funds.

Committee Report SSCR652 states the Senate Committees on Ways and Means and Judiciary believe the Department of Commerce and Consumer Affairs (DCCA) is better suited to carry out the licensing of private inspectors, due to existing licensing schemes and enforcement mechanisms in place for Pest Control Operators pursuant to chapter 460J, Hawaii Revised Statutes (HRS). The Board has concerns regarding the

appropriateness of the responsibility for training of licensees as they are outside the Board's expertise, scope, and jurisdiction. The Board does not provide training for any of the licenses it issues. The scope and training requirements of biosecurity inspectors is an area of expertise that is under the purview of the Department of Agriculture (DOA).

The DOA is the authority as the lead agency on biosecurity efforts in the State and has the appropriate resources, including but not limited to established inspector training programs and protocols. Thus, the DOA would appear to be appropriate agency for the training of biosecurity inspectors, as proposed in S.B. 1100.

Should the Committee be inclined to pass this measure, the Board respectfully requests additional time to collaborate with the DOA to create an appropriate licensing scheme including scope of practice, license requirements, and regulation of biosecurity inspectors.

Thank you for the opportunity to testify on this bill.





**JOSH GREEN, M.D.**  
GOVERNOR | KE KIA'ĀINA

**SYLVIA LUKE**  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA

**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I**  
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**DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**  
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**NADINE Y. ANDO**  
DIRECTOR | KA LUNA HO'OKELE

**DEAN I HAZAMA**  
DEPUTY DIRECTOR | KA HOPE LUNA HO'OKELE

## **Testimony of the Department of Commerce and Consumer Affairs**

### **Before the House Committee on Agriculture and Food Systems**

**Tuesday, March 18, 2025**

**2:05 p.m.**

**Conference Room 329 and Videoconference**

**On the following measure:**

**S.B. 1100, S.D. 2, H.D.1, RELATING TO BIOSECURITY**

Chair Matayoshi and Members of the Committee:

My name is Nadine Ando, and I am the Director of the Department of Commerce and Consumer Affairs (Department). The Department offers the following comments.

The purposes of this bill are to: (1) rename the Department of Agriculture as the Department of Agriculture and Biosecurity; (2) establish a Deputy Chairperson for Biosecurity; (3) require the Department to establish an emergency response team to respond to biosecurity events; (4) authorize the Department to establish transitional facilities; (5) require the Department of Commerce and Consumer Affairs to license and train biosecurity inspectors to inspect imported plants and animals; (6) require inspection of various items transported interisland; (7) increase penalties for illegally transporting plants, animals, and microorganisms; (8) require the Department to establish government-industry agreements to detect and respond to unwanted organisms in Hawai'i; (9) authorize pest management plans to address, contain, or

eradicate pests; (10) transfer the Hawai'i Invasive Species Council from the Department of Land and Natural Resources to the Department; (11) authorize the Department to adopt rules to establish and enforce the Plant Care Component Program; (12) authorize the Department to assess administrative penalties for the enforcement of the program; and (13) appropriate funds.

Committee Report SSCR652 states the Senate Committees on Ways and Means and Judiciary believe the Department is better suited to carry out the licensing of private inspectors, due to existing licensing schemes and enforcement mechanisms in place for Pest Control Operators pursuant to chapter 460J, Hawaii Revised Statutes (HRS). The Department has concerns regarding the appropriateness of the responsibility for training of licensees as they are outside the Pest Control Board's (Board) expertise, scope, and jurisdiction. The Board does not provide training for any of the licenses it issues. The scope and training requirements of biosecurity inspectors is an area of expertise that is under the purview of the Department of Agriculture (DOA).

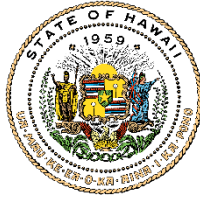
The DOA is the authority as the lead agency on biosecurity efforts in the State and has the appropriate resources, including but not limited to established inspector training programs and protocols. Thus, the DOA would appear to be appropriate agency for the training of biosecurity inspectors, as proposed in S.B. 1100.

The Department respectfully requests additional time to collaborate with the DOA to create an appropriate licensing scheme including scope of practice, license requirements, and regulation of biosecurity inspectors.

Thank you for the opportunity to provide testimony on this measure.

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
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DAWN N.S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

RYAN K.P. KANAKA'OLE  
FIRST DEPUTY

CIARA W.K. KAHAHANE  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Testimony of  
DAWN N. S. CHANG  
Chairperson

Before the House Committee on  
CONSUMER PROTECTION & COMMERCE

Tuesday, March 18, 2025  
2:05 PM

State Capitol, Conference Room 329 and Via Videoconference

In consideration of  
SENATE BILL 1100, SENATE DRAFT 2, HOUSE DRAFT 1  
RELATING TO BIOSECURITY

Senate Bill 1100, Senate Draft 2, House Draft 1 proposes to expand and restructure the Hawai'i Department of Agriculture's (HDOA) biosecurity efforts, including renaming HDOA to add "Biosecurity"; establishing a Deputy Chairperson for Biosecurity; establishing an emergency response team; establishing transitional facilities; requiring inspection of items transported interisland; increasing penalties for illegally transporting plants, animals, and microorganisms; establishing government-industry agreements to detect and respond to unwanted organisms in Hawai'i; authorizing pest management plans; authorizing rules to establish and enforce the Plant Care Component Program; and authorizing assessment of administrative penalties for the enforcement of the program. Requires the Department of Commerce and Consumer Affairs to license and train biosecurity inspectors to inspect imported plants and animals. Appropriates funds. **The Department offers the following comments.**

The Department appreciates the amendments made in the last committee to remove all language that would move the Hawaii Invasive Species Council (HISC) to the HDOA. As was stated in past testimony, the Department supports retaining HISC under its current statutory structure to coordinate and implement the interagency biosecurity plan. However, Part III, Section 19 proposes an amendment to Chapter 141, Hawai'i Revised Statutes (HRS) that states, "The deputy chairperson for biosecurity shall oversee all of the State's biosecurity initiatives, including programs under chapters 142, 150A, and 194 and sections 141-5, 261-4.5, and 266-21.5". This language would give HDOA oversight of HRS Chapter 194 (the HISC Statute), effectively moving the HISC to HDOA. We recommend that reference to HRS Chapter 194 be removed from this proposed amendment to ensure that HISC remains an independent multi-partner forum for statewide coordination on preventing and managing invasive species.

The Department continues to support efforts to strengthen biosecurity and enhance HDOA's biosecurity function.

Mahalo for the opportunity to provide comments on this measure.

JOSH GREEN  
GOVERNOR OF HAWAII

SYLVIA LUKE  
LIEUTENANT GOVERNOR



## HAWAII INVASIVE SPECIES COUNCIL

1151 PUNCHBOWL ST, #325  
HONOLULU, HAWAII 96813

### VOTING MEMBERS

DAWN CHANG  
DEPARTMENT OF LAND & NATURAL  
RESOURCES

SHARON HURD  
HAWAII DEPARTMENT OF AGRICULTURE

KATHLEEN HO, D.Env  
DEPARTMENT OF HEALTH

PARWINDER GREWAL, Ph.D.  
UNIVERSITY OF HAWAII

MARY ALICE EVANS  
BUSINESS, ECONOMIC DEVELOPMENT &  
TOURISM

DEXTER KISHIDA  
DEPARTMENT OF TRANSPORTATION

## House Committee on CONSUMER PROTECTION & COMMERCE

Tuesday, March 18, 2025  
2:05 PM

State Capitol, Conference Room 329 and Via Videoconference

Chelsea Arnott, HISC Coordinator on behalf of  
HISC Co-Chair Sharon Hurd and Co-Chair Dawn N.S. Chang

### In consideration of SENATE BILL 1100 SENATE DRAFT 2 HOUSE DRAFT 1 RELATING TO INVASIVE SPECIES

Senate Bill 1100 Senate Draft 2 House Draft 1 carries out a number of actions with the intention of improving biosecurity through the Hawai'i Department of Agriculture. The Council appreciates the comprehensive approach to improve biosecurity in Hawai'i with broadening the scope of the Hawai'i Department of Agriculture (HDOA) with the addition of "biosecurity", highlighting the need for transitional facilities and inspectors. **The Hawai'i Invasive Species Council (Council) provides comments on this measure.**

The Council also appreciates the last committee's amendments to remove any language that would move the Council to HDOA, but recommends including the removal of Chapter 194 from page 23 that reads "The deputy chairperson for biosecurity shall oversee all of the State's biosecurity initiatives, including programs under chapters 142, 150A, and 194 and sections 141—5, 261—4.5, and 266—21.5". This would move the HISC, HRS 194, over to HDOA and have the Deputy Chairperson of Biosecurity oversee the Council. HRS 194 establishes the Hawaii Invasive Species Council as an independent forum for the prevention and management of invasive species. The Council continues to support that intent and works to provide effective coordination amongst the State Departments.

The recommended amendment would read as follows:

*"The deputy chairperson for biosecurity shall oversee all of the State's biosecurity initiatives, including programs under chapters 142, 150A, and 194 and sections 141—5, 261—4.5, and 266—21.5"*

Mahalo for the opportunity to provide comments on this measure.

SUGARLAND FARMS, INC.  
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SB1100sd2,hd1, Relating to Biosecurity  
House CPC Hearing – 2:05 PM  
Tuesday, March 18, 2024  
Testimony By: Jonathan Jefts

Chair Matayoshi, Vice Chair Chun, and Members of the House CPC Committee:

I am Jonathan Jefts, manager of Sugarland Farms, Inc. Our family farms on Oahu and Molokai grow about 1 million pounds weekly of import replacement produce. These crops include bananas, green bell peppers, cabbages, Chinese cabbages, cucumbers, and several varieties of tomatoes and watermelons.

Recent discussions about biosecurity have increased the awareness of the severe damage to agriculture as well as the quality of life of our communities.

**We appreciate and support** this comprehensive measure to strengthen Hawaii's capacity to control and eradicate harmful invasive species infestations and prevent the entry of other harmful invasive species.

We do have comments about two sections in this measure:

- 1) Pg 59 – Pg 66. Proposed Section 150A-8. Transporting In State.  
The proposed section replaces the current HRS that requires a DOA permit to move flora or fauna from one island to another island within the State or from one locality to another on the same island except by a permit issued by the department.  
  
SB1100sd2,hd1 details an extensive list of flora and fauna in commerce between the islands. Funding for an adequate number of inspectors, timely inspection, and approval must be assured so that agricultural produce can reach the marketplace, fresh for consumers.
- 2) Pg 72 – Pg 74. Proposed Section 150A-H. Pest management plans.  
Clarification is needed about the applicability of this section to pests that are well-established in Hawaii, such as the white fly, or other well-established fungal or bacterial diseases. We follow federal protection guidelines and labeling specific to applications, and use integrated pest management tools.

Pg. 74 (c) At a public hearing, the board shall approve the proposed plan, deny the proposed plan, or approve the proposed plan with modifications.

Timeliness and expedited review for board action is of concern. The gap from the time of filing a proposed plan to approval to execution of the pest management plan may be too late in preventing the spread of an invasive species.

Thank you for the opportunity to testify.



**Hawaii Cattlemen's Council, Inc.**

COMMITTEE ON EDUCATION  
Senator Michelle N. Kidani, Chair  
Senator Donna Mercado Kim, Vice Chair

**HB110 HD1**  
RELATING TO LOCAL AGRICULTURAL PRODUCTS

Monday, March 17, 2025, 2:00PM  
Conference Room 229 & Videoconference

Chair Kidani, Vice Chair Kim, and Members of the Committee,

The Hawaii Cattlemen's Council **supports HB110 HD1** which modifies certain benchmark goals and timeline for the Department of Education to provide locally-sourced agricultural and food products.

We appreciate this bill's intent to align and clarify the local food purchasing benchmarks across state departments. The Hawaii Cattlemen's Council supports the purchasing of locally sourced food, and Hawaii's ranchers are ready to contribute to that by providing local beef, a nutritious protein. Hawaii's locally grown beef provides 10 essential nutrients in a single 3 oz. serving. This includes high-quality protein, iron, zinc and B vitamins. These nutrients are especially important for the development of young, active growing children, and beef currently provides 3% of the 6% of locally purchased food the DOE purchases, and we can grow that contribution. This will help the students, the state, and agriculture.

We appreciate the opportunity to testify on this measure. The Hawaii Cattlemen's Council (HCC) is the Statewide umbrella organization comprised of the four county-level Cattlemen's Associations. Our member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of over 750 thousand acres of land in Hawaii, or 20% of the State's total land mass. We represent the interests of Hawaii's cattle producers.

Nicole Galase  
Hawaii Cattlemen's Council  
Managing Director





# SIERRA CLUB OF HAWAI'I

## HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

March 18, 2025

2:05 PM

Conference Room 329

### **COMMENTS on SB1100 SD2 HD1: RELATING TO BIOSECURITY**

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Aloha Chair Matayoshi, Vice Chair Chun, and Members of the Committee,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **offers COMMENTS AND CONCERNS** on SB1100 SD2 HD1, which renames the Department of Agriculture as the Department of Agriculture and Biosecurity (DAB) and makes various amendments and investments in its roles within our biosecurity framework. The Sierra Club greatly appreciates the recognized need to ensure the Department of Agriculture takes its biosecurity responsibilities seriously, and also greatly appreciates the intent of the House draft amendments to ensure that the Hawai'i Invasive Species Council (HISC) would not fall under the control of the DAB. **However, the Sierra Club notes that this measure may still place HISC under the control of the DAB, which may have devastating impacts to our islands.** Accordingly, we urge the Committee to consider two amendments to further the intent of this measure: **namely, to strike the reference to HRS Chapter 194 that would still give the DAB deputy of biosecurity oversight over HISC, and to ensure a greater level of accountability for the newly established deputy of biosecurity.**

For years, if not decades, Department of Agriculture leaders have failed to utilize the department's unique and critical authorities to address the introduction and spread of invasive species across Hawai'i nei. This lack of regulatory initiative has contributed to multiple waves of invasive species that have already irrevocably and fundamentally impacted our islands. Invasive plants and wildlife have overtaken entire watersheds, not just impacting native ecosystems but also reducing aquifer recharge, increasing our vulnerability to floods and wildfires, and smothering our nearshore reefs and waters with runoff. Parasites and other pests have affected local food production and increased the use of toxic pesticides on farms and in home gardens, risking both public health as well as threatening stream and nearshore species critical to our aquatic ecosystems. Most recently, the years-long delay of regulatory action by the department has led to the establishment of the little fire ant and two-lined spittlebug on Hawai'i Island, the establishment of the coconut rhinoceros beetle on O'ahu, and the ongoing spread of the same across Kaua'i.





The Sierra Club accordingly appreciates that this measure would emphasize the need for department leaders to finally embrace their regulatory role, by renaming the department as the “Department of Agriculture and Biosecurity,” and establishing a deputy director to be responsible for its biosecurity efforts, among other initiatives.

Given the Department of Agriculture’s limited historical mission and institutional knowledge, as well as its current leadership’s demonstrated reluctance to take on its biosecurity responsibilities, the Sierra Club greatly appreciates the prior committee’s stated intent to **prevent HISC and other existing non-Department of Agriculture biosecurity programs from being placed under the newly renamed DAB. As we have previously testified, such a move may have devastating consequences for our islands.** HISC and its ISCs have proven to be incredibly effective at holding the line against invasive species, despite extremely limited funding and a lack of support from other agencies (i.e. the Department of Agriculture) assigned their own unique roles in our biosecurity framework. They are able to combine specialized expertise, field knowledge, cross-agency coordination, and community relationships to support the all-hands-on-deck fight to monitor, manage, and eradicate myriad invasive species throughout the islands, in areas ranging from forests to open spaces to even businesses and homes. **Notably, they have been able to successfully prevent or eradicate dozens of outbreaks of invasive species on every island, from fireweed to pampas grass to little fire ants, saving us from untold millions of dollars in damages and protecting our environment, food security, cultural integrity, local businesses, and residents from the significant and potentially irreparable impacts of invasive pests.**

On the other hand, the Department of Agriculture has demonstrated continued indifference or even apparent hostility to the HISC. Department leadership was unwilling or unable to collaborate with HISC and other proven effective programs in the use of the historic biosecurity funding it was provided last year, the majority of which remains unencumbered. Given these and other longstanding concerns with Department of Agriculture leadership, placing HISC and other non-Department of Agriculture biosecurity programs under the DAB could severely disrupt and even dismantle what few effective strategies we currently have – leaving our islands incredibly vulnerable to the potentially devastating impacts of invasive species. **We therefore appreciate the intent of the previous committee to prevent the DAB from having authority and control over HISC, the ISCs, and other non-Department of Agriculture biosecurity programs under the DAB.**



However, the Sierra Club does note that Section 19 of this measure would still give the DAB's deputy of biosecurity oversight over HRS Chapter 194, the enabling statutes for HISC. The Sierra Club therefore urges the Committee to delete the reference to HRS Chapter 194 in this section to prevent the devastating consequences of placing HISC under the direct control of the DAB.

In addition, given the concerns raised regarding the historical and recent actions and inactions of the Department of Agriculture's leadership, we respectfully urge that there be much stronger accountability mechanisms for any deputy director of biosecurity. The lack of even a Senate confirmation process means that the status quo of department inaction may continue with no consequences under an appointed deputy director of biosecurity, even with the authorities and investments provided in this measure. We therefore specifically urge amendments to ensure that the deputy director of biosecurity be subject to the Senate confirmation process, and to additionally report on a quarterly basis to the Board of Agriculture and on an annual basis to the legislature regarding their progress, challenges, and recommendations for the DAB biosecurity program.

The Sierra Club greatly appreciates the effort put into this potentially transformative measure by its authors. **However, given our widely shared concerns regarding potential major and irreversible unintended consequences, we ask that the Committee adopt the amendments described above, or HOLD this bill.**

Mahalo nui for the opportunity to testify.



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March 18, 2025

HEARING BEFORE THE  
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

**TESTIMONY ON SB 1100, SD2, HD1**  
**RELATING TO BIOSECURITY**

Conference Room 329 & Videoconference  
2:05 PM

Aloha Chair Matayoshi, Vice-Chair Chun, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate, and advance the social, economic, and educational interests of our diverse agricultural community.

**The Hawai'i Farm Bureau supports SB 1100, SD2, HD1**, which renames the Department of Agriculture as the Department of Agriculture and Biosecurity, establishes a Deputy Chairperson for Biosecurity, and enhances the state's biosecurity capabilities through strengthened policies, enforcement mechanisms, and funding.

Invasive species are among the greatest threats to Hawai'i's environment, agriculture, and economy. Each year, new pests such as the coffee berry borer, little fire ant, coconut rhinoceros beetle, two-lined spittlebug, rose-ringed parakeet, varroa mite, and rapid 'ōhi'a death threaten local food production, native ecosystems, and public health. Once established, these pests are costly and difficult to control. A strong biosecurity program is essential to prevent new invasive species from entering the state and manage those already here.

Providing the necessary authority, funding, and personnel to enhance biosecurity measures will improve the state's ability to prevent, detect, and respond to invasive species before they cause irreversible damage. Hawai'i's farmers and ranchers depend on a healthy agricultural environment to sustain their operations, and effective biosecurity is critical to protecting local food production, safeguarding natural resources, and reducing the economic costs of invasive species management.

We urge the committee to pass SB 1100, SD2, HD1 to strengthen Hawai'i's biosecurity efforts and better protect the state from invasive threats. Thank you for the opportunity to testify on this measure.

Testimony of Matson Navigation Company, Inc.  
Comments on SB1100, HD1  
Before the Committee on Consumer Protection & Commerce  
March 18, 2025

Dear Chair Matayoshi, Vice Chair Chun, and Members of the Committee:

Matson Navigation Company, Inc., (Matson) respectfully offers amendments on SB1100, SD2, HD1.

As an island state, Hawaii is very dependent upon our commercial harbors to ensure the continued and unimpeded flow of cargo in and out of our State. It is estimated that over 90 percent Hawaii's imported goods pass through our commercial harbors, including consumer goods, motor vehicles, construction materials, and fuel. Given the critical role of our commercial harbors, it is imperative that the State support safe, dependable, and efficient cargo transportation and logistics to timely service our residents and businesses who depend on these goods, vehicles, materials, and fuel on all major islands.

Matson is concerned that this measure may cause significant delays to the flow of commerce and substantially increase the cost of living for our residents and businesses. The State of Hawaii follows the "just in time" inventory model, which means that goods are received as needed. The State does not have significant stockpiles of most goods and relies on our ships' frequent calls to our harbors to supply these goods. Any added step in the supply chain can cause significant interruptions to the availability of goods to our residents and businesses.

The program established in Part V of this measure requires all costs and expenses incident to the use of a transitional facility to be borne by the importer or the importer's agent. Further, on page 39, line 11, this measure absolves volunteer emergency biosecurity disaster response personnel from liability for any damages caused by to property in response to a mass biosecurity event. If cargo carriers are unable to recover damages from the State of Hawaii for actions caused by the actions of its volunteers who are now deemed state or county employees, cargo carriers will also need to pass on these costs to businesses and residents.

Matson requests that your Committee insert provisions requiring the State to: (1) cover costs and expenses incident to the use of a transitional facility; and (2) be liable for all damages caused by volunteer emergency biosecurity disaster response personnel. These amendments may be made as follows:

1. Page 39, line 5: "(c) ~~[Except in cases of wilful misconduct, the]~~ The State, any county, or any volunteer emergency biosecurity disaster response personnel engaged in the emergency response to a mass biosecurity event or condition under this section, including volunteers whose services are accepted by any authorized person, shall ~~[not]~~ be liable for the death of or injury to any person, or for damage to property, as a result of any act or omission in the course of rendering professional

biosecurity care under a mass biosecurity event or condition..."

2. Deleting the language on page 41, lines 18 through 20 as follows: "(c) All costs and expenses incident to the use of a transitional facility shall be borne by the ~~[importer or the importer's agent.]~~ state of Hawaii."

Thank you for considering our suggested amendments.

**Testimony of The Nature Conservancy  
Commenting on SB1100 SD2 HD1, Relating to Biosecurity.  
Committee on Consumer Protection & Commerce  
March 18, 2025 at 2:05 pm  
Conference Room 325 and via Videoconference**

Dear Chair Matayoshi, Vice Chair Chun, and Members of the Committee:

Mahalo for the opportunity to testify today. The Nature Conservancy (TNC) Hawai'i and Palmyra is providing comments on SB1100 SD2 HD1, which would rename the Department of Agriculture to the Department of Agriculture and Biosecurity (DOAB) and transfer the Hawai'i Invasive Species Council (HISC) from the Department of Land and Natural Resources to the newly-named Department.

The Hawai'i Invasive Species Council is an inter-departmental collaboration comprised of the Departments of Land & Natural Resources, Agriculture, Health, Transportation, Business, Economic Development & Tourism, and the University of Hawai'i. The council was established in 2003 following a report that indicated earlier efforts were piecemeal, lacking in adequate rigor. HISC provides critical policy level direction, coordination, and planning among state departments, federal agencies, and international and local initiatives for the control and eradication of harmful invasive species infestations throughout the state and for preventing the introduction of other invasive species that may be potentially harmful.

HISC is an independent council, currently guided by its co-chairs from the Department of Land & Natural Resources (DLNR) and Department of Agriculture. The council is attached to DLNR for administrative purposes only. This bill would unnecessarily transfer HISC to a part of the DOAB overseen by a Deputy of DOAB, which defeats its interagency character, purpose, and mandate.

Species that evolve on islands do so in the absence of some of the world's more competitive species and it is these invasive species that threaten the state's biodiversity, as well as economic drivers including the agriculture and tourism sectors. Supporting HISC's independence and the cooperation of other state agencies is necessary to ensure its long-term viability and the protection of Hawaii's cherished biodiversity.

Mahalo for the opportunity to testify and provide comments for SB1100 SD2 HD1.

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*Guided by science, TNC is a non-profit organization dedicated to the preservation of the lands and waters upon which all life depends. The Conservancy has helped protect more than 200,000 acres of natural lands in Hawai'i and Palmyra Atoll. We manage 40,000 acres in 13 nature preserves and have supported over 50 coastal communities to help protect and restore the nearshore reefs and fisheries of the main Hawaiian Islands.*

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**Date:** 03/17/25

**TO:** CPC Chair Matayoshi, Vice Chair Chun and CPC Committee Members

**FROM:** Hawai'i Forest Industry Association (HFIA)

**SUBJECT:** Testimony in Support of SB1100 SD2 HD1 Relating to Biosecurity

Dear Chair Kahaloa and AGR Committee Members,

On behalf of the Directors of the Hawai'i Forest Industry Association (HFIA), this testimony is in support of SB1100 SD2 HD1 Relating to Biosecurity.

The Hawai'i Forest Industry Association (HFIA) supports the contents of this bill, especially the addition of a Deputy Chairperson for biosecurity, the establishment of a response team to respond to biosecurity events and emergencies, the licensing and training of biosecurity inspectors, and the required inspection of various inter-island items.

Considering the damaging effects of invasive species on Hawaii's unique biodiversity, implementing stronger efforts to minimize biosecurity threats and their harmful impacts, via the means described in SB1100 SD2 HD1, will be beneficial to Hawaii. Monitoring for and protecting against invasive pests and pathogens, helps to protect our agricultural land, our forested land, our ranch and pasture lands, and the economies tied to all three. Protecting our islands and resources against biosecurity threats helps to promote a stronger, safer, more productive and more self-sustaining Hawaii for today and tomorrow. For these reasons the HFIA hopes that you will support SB1100 SD2 HD1.

Mahalo,

Guy Cellier, President  
Hawai'i Forest Industry Association

*HFIA's mission is to promote healthy and productive forests and a sustainable forest industry through management, education, planning, information exchange, and advocacy. HFIA has over 130 members including woodworkers, landowners, sawyers, foundations, foresters, growers, educators, environmentalists, architects, millers, ranchers, and others interested in HFIA's mission and goals.*

**HFIA Board of Directors**

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**TESTIMONY OF TINA YAMAKI, PRESIDENT  
RETAIL MERCHANTS OF HAWAII  
MARCH 18, 2025  
SB 1100 SD2 HD1 RELATING TO BIOSECURITY**

Aloha, Chair Matayoshi, and members of the House Committee on Consumer Protection & Commerce. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii was founded in 1901 and is a statewide, not for profit trade organization committed to supporting the growth and development of the retail industry in Hawaii. Our membership includes small mom & pop stores, large box stores, resellers, luxury retail, department stores, shopping malls, on-line sellers, local, national, and international retailers, chains, and everyone in between.

SB 1100 SD2 HD1 Renames the Department of Agriculture as the Department of Agriculture and Biosecurity (Department). Part III: Establishes a Deputy Chairperson for Biosecurity. Part IV: Requires the Department to establish an emergency response team to respond to biosecurity events. Part V: Authorizes the Department to establish transitional facilities. Requires the Department of Commerce and Consumer Affairs to license and train biosecurity inspectors. Requires inspection of various items transported interisland. Increases penalties for illegally transporting plants, animals, and microorganisms. Part VI: Requires the Department to establish government-industry agreements to detect and respond to unwanted organisms in Hawai'i. Authorizes pest management plans to address, contain, or eradicate pests. Part VII: Authorizes the Department to adopt rules to establish and enforce the Plant Care Component Program. Authorizes the Department to assess administrative penalties for the enforcement of the program. Part VIII: Appropriates funds. Effective 7/1/3000.

While RMH supports initiatives that protect Hawaii's unique ecosystem from invasive species, **we are concerned about the potential delays this bill may impose on the timely receipt of goods for retailers.** Specifically, requiring additional inspections of shipping containers raises significant concerns about supply chain disruptions.

Currently, businesses rely on timely shipments to maintain inventory, meet customer demands, and sustain economic activity. If additional inspections result in extended delays - potentially from a few days to weeks or even a month - this would create severe challenges for retailers, especially small businesses that operate on tight margins. Such delays could lead to product shortages, increased costs, and ultimately higher prices for consumers in an already high-cost market.

RMH respectfully requests that the Committee consider provisions to mitigate delays, such as:

- Establishing clear timelines for inspections to prevent indefinite delays.
- Implementing risk-based assessments that prioritize high-risk imports while expediting clearance for low-risk goods.
- Increasing inspection capacity by allocating resources for additional inspectors and efficient inspection procedures.

We urge the Committee to carefully consider the economic implications of this bill and work toward a balanced approach that strengthens Hawaii's biosecurity while ensuring businesses can continue to receive their goods in a timely manner.

Mahalo for this opportunity to testify.



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House of Representatives  
Committee on Consumer Protection & Commerce  
Tuesday, March 18, 2025  
2:05 PM Conference Room 329  
State Capitol

### **Testimony Providing Comments on SB 1100 SD2 HD1**

Aloha Chair Matayoshi, Vice Chair Chun, and Members of the Committee,

Thank you for the opportunity to provide testimony regarding SB 1100 SD2 HD1, *Relating to Biosecurity*.

The Coordinating Group on Alien Pest Species (CGAPS) appreciates the Legislature's continued focus on invasive species. During the 2024 Legislative Session, the Legislature passed Act 231, landmark funding for the Hawaii Department of Agriculture's (HDOA) biosecurity efforts. SB 1100 continues this momentum by providing new approaches to biosecurity in Hawaii and even proposes renaming HDOA as the Department of Agriculture and Biosecurity (HDOAB). It is critically important to invest in HDOA's efforts to carry out their statutory responsibilities related to invasive species. After decades of lower funding amounts for HDOA's capacity and activities related to invasive species, we note that HDOA has a lot of work ahead to rebuild and modernize its invasive species program.<sup>1</sup>

CGAPS offers the following comments on this bill:

#### **Protection of autonomy and interagency character of the Hawaii Invasive Species Council**

The Committee on Agriculture & Food Systems modified SB1100 SD2 HD1 to remove language that transferred the Hawaii Invasive Species Council (HISC or Council) from the Department of Land and Natural Resources (DLNR) to HDOAB. We strongly support and are grateful for this modification. However, one more change is necessary to ensure that HISC retains its autonomy and interagency character.

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<sup>1</sup> For instance, HDOA's administrative rules relating to invasive species are out of date. HDOA's rules related to noxious weeds and the list of noxious weeds were last updated in 1992. (HAR Ch. 4-68). The list of pests designated for control or eradication was last updated in 2008. (HAR Ch. 4-69A Attachment 1) Section 141-3.5, Hawaii Revised Statutes, requires HDOA to develop and implement a control or eradication program for each designated pest, using the best available technology. To date, HDOA has not developed a program for any designated pest.

**We respectfully request this Committee preserve the HISC as an independent Council, guided by its co-chairs and members, that is not relegated to an entity that reports to a deputy of one of its component members (HDOAB) and allow each department of the State to carry out its own biosecurity initiatives by amending page 22, line 18, through page 23, line 2, to read as follows:**

**“§141-\_\_\_\_ Deputy chairperson of biosecurity; established. (a) There is established within the department a deputy chairperson for biosecurity. The deputy chairperson for biosecurity shall oversee all of the State’s department’s biosecurity initiatives, including programs under chapters 142and 150A, ~~and 194~~ and sections 141-5, 261-4.5, and 266-21.5.”**

HISC is established in chapter 194 of the Hawaii Revised Statutes (HRS). That chapter sets out the Council’s duties and its membership. HISC is comprised of the chairs or directors of HDOA, DLNR, Department of Health (HDOH), Department of Transportation (HDOT), Department of Business, Economic Development and Tourism (DBEDT), and the President of the University of Hawaii (UH), or their designees, for the purpose of “providing policy level direction, coordination, and planning among state departments, federal agencies, and international and local initiatives for the control and eradication of harmful invasive species infestations throughout the State.” (HRS 194-2) HISC is co-chaired by the Chairperson of HDOA and the Chairperson of DLNR. It is an independent Council, guided by its co-chairs, and is attached to DLNR for administrative purposes only. (HRS 194-2(b))

In addition to participating in HISC, each HISC department and UH have their own specific statutes and mandates for preventing and responding to invasive species that are overseen by the head of that entity. For example, HDOA’s authorities prevent pests from entering Hawaii from other states and spreading interisland. HDOH surveys and monitors for and controls invasive vectors and pathogens that affect public health. UH, among other things, carries out research and development on detection and control methods and adaptive management techniques. DLNR has the authority to regulate biofouling and ballast water to prevent the introduction of aquatic invasive species and performs control and eradication actions for aquatic invasive species and for terrestrial invasive species on conservation lands. The amendment made by section 19 relegates HISC to a Council overseen by a Deputy of HDOAB, which defeats HISC’s interagency character, purpose, and mandate. The purpose of this demotion is unclear. It is also unclear if or how this shift might affect the annual competitive grants program that supports projects statewide and HISC staff functions such as the Hawaii-Pacific Weed Risk Assessment specialist. It is also unclear how a Deputy in HDOAB could “oversee” biosecurity initiatives of other State departments. Each department head should have control over the planning, budgeting, and execution of its own biosecurity actions without having to report to a Deputy at HDOAB.

### **Deputy Chairperson for Biosecurity**

Part III of SB 1100 SD2 HD1 contains confusing and conflicting language. Section 19 (beginning on p. 22, line 15) creates a new Deputy Chairperson for Biosecurity (DCB) who is “appointed by the governor.” (p.23, line 5) Section 20 (beginning on p. 23, line 6) creates “two additional deputies or assistants, either in charge of agriculture or biosecurity or other functions within [HDOAB]” who are “assigned” by the Chairperson of HDOAB “with the approval of the governor.” (p.30, line 18 through p. 31, line 3) These two additional positions would be exempt from Hawaii’s civil service law and would not require a public hearing or the advice and consent of the Senate. It is unclear to us what the responsibilities of these two new positions would be and how they relate to the new DCB. Considering the DCB’s critical responsibilities, it seems appropriate that the Governor should appoint the DCB and other positions within HDOAB should be selected through civil service hiring.

**To address these concerns, we respectfully request this Committee clarify that only one new position is being created by:**

1. Amending page 23, lines 3 through 5, to read as follows:

“(b) The deputy chairperson for biosecurity shall be a deputy to the chairperson of the board of agriculture and biosecurity and be appointed, without regard to chapter 76, by the governor.”

2. Striking section 20.

### **Removal of authority to regulate movement of pests within an island under ch 150A HRS**

We sincerely hope this Committee will modify section 27 of SB1100 SD2 HD1 to restore HDOAB’s ability to make rules under chapter 150A HRS to regulate the movement of pests between islands and within an island. (beginning on p. 59, line 5)

The current text of section 150A-8 HRS is:

**“§150A-8 Transporting in State.** Flora and fauna specified by rules and regulations of [HDOA] shall not be moved from one island to another island within the State or **from one locality to another on the same island** except by a permit issued by the department.” (emphasis added)

This is the authority for HDOAB to adopt permanent rules to regulate the movement of pests or pest-infested material within a single island. Without this authority, it will be much more difficult for HDOAB to carry out any regulatory program to suppress pests such as the coconut rhinoceros beetle on a single island.<sup>2</sup> **The proposed bill language in SB1100 SD2 HD1 deletes**

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<sup>2</sup> Section 141-2(2), HRS, authorizes HDOA to make rules governing the transportation of live plants and animals and certain agricultural products between different locations of any one island of the State. However, having similar

**the existing language of section 150A-8, which removes the authority for the recently adopted amendments to chapter 72, Hawaii Administrative Rules (HAR), removes those amendments from HDOA, Plant Quarantine Branch's (PQB) biosecurity authorities, and will make it more difficult for PQB to issue a penalty for violations, including selling pest-infested merchandise to the public.** Instead of deleting this authority, we believe these intra-state authorities should explicitly apply to materials that carry pests and not just the pests themselves.

**SB1100 SD2 HD1 unfairly makes it more difficult for Hawaii agricultural products to compete with imports**

As discussed above, section 27 of SB1100 SD2 HD1 (beginning on p. 59, line 5) deletes the current language of section 150A-8 HRS, but what SB1100 SD2 HD1 inserts in its place will make it more difficult for agricultural producers in Hawaii to compete with agricultural products imported from other states. The new language contains detailed requirements for the inter-island movement of nursery plants, cut flowers, fruits, and other agricultural items that are very similar to the inspection and labeling requirements for importing those items into the State under section 150A-5 HRS. However, SB100 SD2 HD1 is actually **more restrictive for the movement of these items between islands than for importation into the State.**

The language proposed to be inserted by section 27 would require someone who, for instance, is shipping agricultural products, such as fruit or cut flowers, from Big Island where they were grown to Oahu for sale to:

- (1) Ensure the fruit or flowers are inspected by HDOAB prior to movement between islands, providing at the inspector's request the waybill number, container number, name and address of the consignor, name and address of the consignee or consignee's agent, marks, number of packages, description of the contents of each package, and any other information that may be necessary to inspect, locate, or identify the products, and receive a certification of that inspection; and
- (2) Label, in a conspicuous manner and place, each container in which the products are transported with the name and address of the shipper or owner, with the name and address of the shipper or owner forwarding or shipping the products, the name or mark of the person to whom the products are forwarded or shipped or the person's agent and a statement of the contents of the container.

**Failure to obtain the certification of inspection or properly label the container is subject to a criminal misdemeanor penalty under section 150A-14(a) HRS, whereas a similar failure for someone importing fruit or cut flowers from out of state is only a civil penalty. (see SB1100 SD2 HD1, p. 66, lines 7-12)**

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authorities in chapter 150A HRS allows HDOAB to include intra-island programs within its biosecurity program and makes violations subject to penalties under section 150A-14 HRS.

Even more confusing to us is the new language that was added to the SD2 version of SB1100 that **requires**<sup>3</sup> an inspector with “good cause” to believe that any provision of chapter 150A HRS is being violated, with respect to inter-island movement, to conduct an inspection of any item and, again, imposes a criminal penalty if any pest or item infested with an insect or disease is found. We note that identical language appears in paragraph (5) of section 150A-5 HRS beginning on page 52, line 1 of SB1100 SD2 HD1, even with respect to the inspection of items “moving between islands of the State” (p. 53, lines 15-16), except that language **authorizes, but does not require, the inspections and does not impose a criminal penalty on importers**. This creates two inconsistent standards for the inspection of items where an inspector has “good cause” to believe chapter 150A HRS is being violated.

Currently, HDOA does not require inspection of agricultural products (other than whole plants, propagative plant parts, and soil) prior to inter-island movement, though cut flowers, foliage, fruits, vegetables, and other non-propagative plant parts may be subject to inspection at either the port of departure or entry, at the HDOA’s discretion. (§4-72-3 HAR) The proposed additional requirements in SB1100 SD2 HD1 will significantly impact all agricultural producers that sell and ship products interisland. While most Hawaii residents live on Oahu, most of the local agricultural products are grown on Hawaii Island, so these new inter-island requirements will unfairly impact these producers and will require significant capacity increases for HDOAB to inspect all agricultural products moving inter-island.

**We respectfully request this Committee consider striking section 27, to ensure that residents and agricultural producers in Hawaii are treated the same as residents and agricultural producers of other states or, at the least, re-inserting the existing text of section 150A-8 HRS so that the chapter 72 HAR amendments may be enforced, by amending page 59, lines 7 through 11, to read as follows:**

**“§150A-8 Transporting in State.** (a) Flora and fauna and pest host material specified by rules and regulations of the department shall not be moved from one island to another island within the State or from one locality to another on the same island except by a permit issued by the department.

(b) The movement between the”

#### **Addition of biosecurity experts to the Board of Agriculture and Biosecurity**

Part II of SB 1100 SD2 HD1 (beginning p.1, line 4) renames HDOA as the Department of Agriculture and Biosecurity and the Board of Agriculture as the Board of Agriculture and Biosecurity. We applaud this expanded focus on broader issues of biosecurity. We believe the

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<sup>3</sup> In SB1100 SD1, the language on p.62, line 3, was “may require” an inspection; SB1100 SD2 changed that language to “shall require.”

Board of Agriculture and Biosecurity should reflect this new focus by adding a member from the invasive species response community and the environmental conservation community with biosecurity expertise.

**We respectfully request this Committee consider:**

**1. Adding a new section at the end of Part II of SB 1100 SD2 HD1 as follows:**

Sec. \_\_. Subsection (a) of section 26-16, Hawaii Revised Statutes, is amended to read as follows:

**“§26-16 Department of agriculture and biosecurity.** (a) The department of agriculture and biosecurity shall be headed by an executive board to be known as the board of agriculture and biosecurity. The board shall consist of ten members:

- (1) One who shall be a resident of the county of Hawaii;
- (2) One who shall be a resident of the county of Maui;
- (3) One who shall be a resident of the county of Kauai;
- (4) Four at large; and
- (5) The chairperson of the board of land and natural resources; the director of business, economic development, and tourism; and the dean of the University of Hawaii college of tropical agriculture and human ~~resources~~ resilience, or their designated representatives, who shall serve as ex officio<sub>2</sub> voting members.

The majority of the members of the board described in paragraphs (1) through (4) shall be from the agricultural community, ~~or the agricultural support sector[-],~~ the invasive species response community, or the environmental conservation community with demonstrated biosecurity expertise, with at least one member from each such category. The appointment, tenure, and removal of the members and the filling of vacancies on the board shall be as provided in section 26-34. The governor shall appoint a chairperson of the board from the members.”

2. By making conforming amendments on page 20, line 6, by striking “26-16,” and inserting “26-16(d),” and on page 21, line 13, by striking “26-16,”.

**Participation of State and local government employees on the Biosecurity Emergency Response Program**

Part IV of SB 1100 SD2 HD1 (beginning on p. 35, line 13) authorizes the Chairperson of HDOAB to provide pay and liability protections to a designated team of individuals who are not State or county employees, as “team members” who are selected by the Chairperson based on criteria established by the Chairperson and who receive pay as established by the Chairperson by rule (p. 37, lines 12 - 16) to respond in the “event of an emergency due to a breach of the State’s biosecurity measures.” (p. 36, lines 5 - 6)

“Team members” receive pay for each day of participation in continuing professional education and training and for each day of service if the Chairperson finds their “assistance is appropriate following a biosecurity event or emergency.” (Pg. 37, lines 17 -19)

We applaud efforts to prepare for a rapid response to the detection of a new high-impact invasive species or population. Hawaii already has a similar capacity with the island invasive species committees under UH, as well as other State and county employees. If the Governor declares an invasive species emergency under chapter 127A HRS, the response framework allows for engaging these personnel and the State also has the ability to contract with private companies to respond rapidly. HDOAB identifying entities that could be helpful in such a response in advance is good planning. However, paying non-governmental employees the Chairperson selects to be part of an ongoing team may be an inefficient use of State funds and could result in the appearance of inappropriateness.

Further, these rapid response measures appear to be only for control and eradication, not regulatory responses. To effectively respond to a new high-impact invasive species, HDOAB will need the authority to quarantine the area where the invasive species is detected, have the capacity to determine where the species is present, and provide rapid response to control the species in all infected/infested locations.

**We respectfully request this Committee consider amending Part IV of SB 1100 SD2 HD1 by:**

1. On page 36, line 17 through page 37, line 19, amend subsections (b) and (c) to read as follows:

“(b) The chairperson shall ~~compile a list of qualified professionals who are willing to serve on an~~ organize an emergency response team, giving priority to individuals state and county employees having experience dealing with the containment and eradication of organisms. The chairperson shall ~~appoint at least one team of professionals from the list,~~ making make a reasonable effort to appoint at least one member from each island except Niihau. If a qualified representative cannot be appointed from each island, the chairperson, at a minimum, shall appoint one member from each county. Each team appointed shall serve for a period of four years; provided that the chairperson shall have the flexibility of appointing additional special teams for shorter or longer periods of time as the need arises. Members of a biosecurity response team shall receive continuing professional education and training on the provision of assistance to be ready to provide services whenever a biosecurity event or emergency occurs. The team members shall ~~be compensated~~ receive reimbursement for actual expenses incurred for each day of service provided under this section, including participation in training required by the chairperson, ~~under a fee schedule established by the chairperson under chapter 91.~~

(c) The team shall be activated by the chairperson whenever the chairperson finds that assistance is appropriate following a biosecurity event or an emergency related to biosecurity is declared by the Governor under chapter 127A.

2. At the bottom of page 39, add a new section to read as follows:

**“§150A-\_\_ Rapid response quarantine authority.** The Chairperson is authorized to quarantine any area that 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.”

### **Part V Transitional Facilities**

Part V of SB 1100 SD2 HD1 (beginning on p. 40, line 1) provides for the inspection of plants, animals, and certain agricultural commodities imported into Hawaii from other states to be carried out by private sector employees licensed by HDOAB at privately owned transitional facilities. It is exciting that this bill is looking at models used in New Zealand to prevent the importation of pests. However, we note a few issues presented by the proposed amendments in Part V.

For instance, the proposed amendments, unlike the New Zealand model, do not allow for the inspection of any item imported or require the movement of all containers to transitional facilities, do not clarify how the fees for the private inspections will be established, or clarify how the fees will meet the reasonableness test so as not to burden or impede interstate commerce. It is unclear to us when the private biosecurity inspectors will be utilized and how they will compete with HDOAB inspectors. Page 41, lines 4 through 13, provide that items will go to a transitional facility to be inspected by private biosecurity inspectors for a fee either: (1) upon order by HDOAB; or (2) if the importer chooses to take them to the facility. It is unclear when HDOAB will inspect items free of charge versus ordering an importer to pay the private biosecurity inspectors for the same type of inspection, why an importer would prefer to pay for the inspection, or if importers will employ and pay their own biosecurity inspectors to inspect their imported agricultural products.

In addition, implementing the transitional facilities proposed by Part V will be a big undertaking and we appreciate the changes made to SB1100 to delay the effective date of this section until January 1, 2027. In New Zealand, the licensing, facility, pre-border, border, and health and biosecurity requirements are hundreds and hundreds of pages. It seems reasonable to develop and provide import standards for the various imports and to understand the potential impacts that this program might have, including on food. Further, New Zealand is an independent country and its national government sets out its importation and inspection standards. As a state, Hawaii is subject to preemption by Federal laws and limited in its ability to regulate foreign or interstate commerce by the U.S. Constitution. We hope the transitional facilities



program will be carried out in a manner that will protect Hawaii from legal challenges for impermissibly burdening commerce and consumers from increased costs, perhaps by beginning this effort with a study conducted by the Legislative Reference Bureau.

**Ensuring fairness in expenditures for Government-Industry Agreements for Readiness and Response and Pest Management Plans.**

Part VI of SB 1100 SD2 HD1, in section 31 (beginning on p. 70, line 12), adds three new sections to chapter 150A, HRS. The first section allows HDOAB to enter into agreements with businesses and industry groups related to preventing, detecting, and responding to “unwanted organisms.” There are no penalties if the businesses fail to comply with the plan. It appears these are fully voluntary agreements for industries and HDOAB will provide resources to develop and carry out the agreements.

**We respectfully suggest this Committee consider requiring businesses to comply with the terms of the agreement by inserting on page 71, between lines 15 and 16, the following:**

“(c) A violation of an applicable readiness plan shall be subject to penalties as set out in section 150A-14.”

The third new section (beginning on p. 72, line 11) allows any person to request HDOAB fund management activities for new and possibly existing pests under a pest management plan. This new section requires the Board of Agriculture and Biosecurity to approve the plans and HDOAB will share costs and may enter into contracts to carry out the plans. These seem to be control or eradication plans, not regulatory plans and there is no penalty for failure to comply with a plan. The use of the term “person” also appears to exclude any State or local government entity.

**We respectfully request this Committee consider inserting “including any unit of State or local government” after “Any person” on page 72, line 11.**

HDOA’s list of pests for control and eradication was last updated 2008. Section 141-3.5(a) HRS currently requires HDOA to “develop and implement a detailed control or eradication program for any pest designated ... using the best available technology.” To date, HDOA has not developed any such plans, and there is nothing prohibiting HDOAB from working with industry, conservation, or any other groups in developing those required plans. We hope this new section will streamline HDOAB’s petition process to designate new pests and develop control or eradication plans for high-impact pests. However, to the extent HDOAB is funding pest control actions for private entities on private property without requiring the entities to comply with the plans, we do not think HDOAB needs a new statute for that.

Further, as drafted, the pest management plan approval process creates a first come/first served grant program for using State funds to control pests. We suggest that HDOAB either

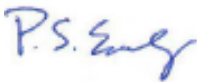
consider all plans at one time each year, with an exception for rapid response for new pests, or HDOAB itself identify the priority pests and locations where expenditure of State funds will be most effective to prevent, control, or eradicate a pest and ask for plan submissions related to HDOAB's own priorities.

Mahalo for the opportunity to provide testimony on SB 1100 SD2 HD1.

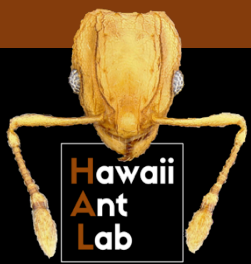
Aloha,

A handwritten signature in blue ink, appearing to read "Christy Martin".

Christy Martin  
CGAPS Program Manager

A handwritten signature in blue ink, appearing to read "P.S. Easley".

Stephanie Easley  
CGAPS Legal Fellow



Hawaii House of Representatives  
Committee on Consumer Protections and Commerce

March 18, 2025  
2:05p  
Hawaii State Capitol Conference Room 329

**SUBJECT: Testimony – Comments on SB1100**

Dear Chair Matayoshi, Vice Chair Chun, and Members the CPC Committee

The Hawaii Ant Lab (HAL) is grateful for the opportunity to submit this testimony and provide comments on SB1100 *“Relating to Biosecurity”*. We appreciate the consideration of House of Representative legislators that heard our concerns over previous versions of SB1100 and acted to make reasonable amendments. The House draft of SB1100 is an improvement but we still harbor concerns over specific sections of this bill.

**Practical Application**

Specific points on agreement:

- Further expansion (beyond current authorities granted in the HRS, and CH 4-72 revisions of the HAR) of departmental authorities at the pre-border, rapid response post border for new species introductions, and enforcement of regulatory authority aimed at preventing inter- and intra-state spread of invasive species, pests, and diseases.
  - o HDOA should be the lead on pre-boarder, and rapid response post boarder for new invasive species, pest, and disease introductions. The HRS and HAR already grants HDOA authorities and regulatory power to achieve these objectives and the recently adopted Chapter 4-72 rule changes has broadened the scope of these authorities.
- Inspection requirement for interisland transport of specific articles mentioned.
  - o The only concern is that the list is limiting and does not fully close the gap. Invasive species are known to “hitchhike” on non-plant and soil items such as fencing and building materials, vehicles and machinery, household items, etc... Without inspection **We suggest inclusion of language such as “... and any other item originating from an area with known establishment of a priority pest or**

*quarantine pest or disease or when a priority pest or quarantine pest or disease is reasonably suspected to be present.”*

- Enhancement of existing quarantine and cargo inspection through the building of transitional facilities and contracting trained and qualified inspectors from private industry biosecurity firms.
  - o Building of transitional facilities and public-private partnerships will likely increase the biosecurity capacity of the state and set a foundation for comprehensive biosecurity industry in Hawai'i. However, this may or may not be allowable under federal laws regarding restrictions of interstate commerce.

Major point of concern:

- During the 2024 legislative session HDOA was charged with drafting a departmental plan detailing restructuring of HDOA and program functioning for the Departments many programs. Despite numerous public hearings where HDOA was questioned about this plan, HAL is unaware of any plan being drafted or finalized. Without such a plan firmly in place, the restructuring and added responsibilities described in SB100 will be difficult to achieve.
  - o **Suggestion:** Mandate a strategic action plan from HDOA with clear, attainable timelines and benchmarks over the next 5-10 years. HDOA/HDOAB should be held to strict account on meeting the benchmarks and the Legislature should determine Departmental budget increases on the meeting the obligations outlined in the Strategic Action Plan. I would also stringly recommend requiring subject experts to be consulted during the drafting of the Strategic Action Plan as science-based validation of the proposed restructuring processes. The Strategic Action Plan should be finalized before implementation of SB1100.

## **Movement of the HISC**

Major points of concern:

- Part III Section 19 creates a Deputy Chairperson of Biosecurity within HDOAB, a non-civil service position appointed by the Governor and without Senate confirmation.
  - o As described in SB1100, this position would hold significant power over all invasive species work in HI. Any position holding such extensive power should require Senate confirmation as part of governmental check and balances and to ensure the appointee is properly qualified for the position.
  - o Any candidate for the Deputy Director of Biosecurity position should have a cross-sector background in invasive species issues, including natural areas conservation, agricultural pest control, and urban pest management. This would ensure the Deputy Director has a comprehensive understanding of all biosecurity issues and avoid a bias toward any particular sector or issue.
- Pg 22 Part III Section 19: “... the deputy chairperson for biosecurity shall oversee all of the State’s biosecurity initiatives, including programs under chapters 142, 150A, and 194 and sections 141-5, 261-4.5, and 266-21.5.” This section assigns oversight of the Hawaii

Invasive Species Council (HRS Ch 194) to the Deputy Chairperson of Biosecurity and shift departmental attachment of the HISC from DLNR to HDOAB

- Currently the HISC is administratively attached to DLNR with voting members from DLNR, HDOA, DOH, DOT, DBEDT, and UH leadership. Although departmental administration is provided by DLNR, the HISC functions as an autonomous council where no single agency holds disproportional sway on the disbursement of funds.
- SB1100 HD1 removed language under Part VII Section 32 that detailed movement of the HISC from DLNR to HDOAB, however, the inclusion of chapter 194 in this section still grants authority of the HISC to the Deputy Chairperson of Biosecurity. Chapter 194 should be omitted here unless there is still intent to list the HISC as under the authority of HDOAB Deputy Chairperson of Biosecurity.

### **Biosecurity Emergency Response Programs**

Part IV Section 21 Charges the HDOAB Chairperson with specific powers if and when a biosecurity emergency occurs.

Suggested amendments:

- It is our belief that the powers detailed in this section should lie with the Deputy Chairperson of Biosecurity, should one be appointed and confirmed into office, and not the Chairperson of HDOAB.
- §150A requires a list of “qualified professionals willing to serve on a biosecurity emergency response team...” and that the Chairperson will “appoint at least one team of professionals from the list...”
  - **Suggestions:**
    - Clarify that qualified professionals include State and County workers, University of Hawaii employees, and private industry. This will avoid future interpretation of the term “professionals” being attributed solely to private industry or public sector alike.
    - Mandate that professionals experience with the *target organism* be validated either by data driven evidence of successful control, or by exceptional knowledge of the *target organism* or specific control methods. Experience validation is especially important for those selected to be on the response team.

### **Data Sharing**

Part VI Section 31 §150A-G establishes an invasive species dashboard and mandates data entry into the dashboard. Any agency or organization that fails to enter data into the dashboard would be subject to withholding of “public funds”.

Major points of concern:

- It is not clear what “public funds” refers to and whether the HDOAB would have jurisdiction to withhold funding from other state agencies, county agencies, or federal

agencies. HDOAB should not have authority over funding that does not originate with HDOAB.

- If “public funding” refers to HISC funding, this effectively provides HDOAB with disproportionate authority over which projects receive HISC funding. This was a major point of contention in past versions of SB1100 and was a driving factor in omitting language that would move the HISC from DLNR to HDOAB.
- UH projects, such as HAL, are able to share data to funders provided the data shared falls within the scope of the funding proposal and this data is provided upon request or in project reports to funders. It should be the obligation of the State funding agency to update the dashboard with necessary data and the responsibility of project managers.
- As a project under the University of Hawaii, HAL is bound by adhering to UH policies that govern protected data. This includes addresses and contact information for individuals that participate in our invasive species control initiatives. If agencies and organizations are required to enter protected data into the dashboard, this conflicts with UH data privacy policies. State agencies and UH should draft and sign a data sharing cooperative agreement if protected data is needing to be shared outside of the scope of specific funding proposals.

SB1100 HD1 is a complex bill that seeks to address biosecurity comprehensively. Because of that, there are issues where the proposed actions conflict with existing law and where language in the bill leaves too much room for personal interpretation. Vague language was recently used to exclude UH projects and partner agencies from funding through ACT 231 and it's important that such loopholes be closed in SB1100 HD1.

Regards,  
Dr. Michelle Montgomery PhD  
Manager – Hawaii Ant Lab



House of Representatives  
Committee on Consumer Protection & Commerce  
Tuesday, March 18, 2025  
2:05PM Conference Room 329  
State Capitol

### **Testimony providing comments on SB1100 SD2 HD1**

Aloha Chair Matayoshi, Vice Chair Chun, and Members of the Committees,

The Kauai Invasive Species Committee (KISC) appreciates the legislature's focus on biosecurity and invasive species this legislative session. Thank you for the opportunity to provide comments on SB1100 SD2 HD1, *Relating to Biosecurity*. Please see comments on the following sections:

#### **Removal of authority to regulate movement of pests within an island**

*Part V Section 27 (page 59) proposes the deletion of the current language of HRS 150A-8 and removes the Department's current authority to adopt rules to regulate the movement of pests or pest-infested material within a single island and **does not add** that authority back in the proposed amendments.*

HDOA's authority to regulate the movement of pest or pest-infested material within a single island is vital to the success of rapid response actions and the eradications of new and expanding pests on each island. Once a pest evades port detection and is detected at a new location on one island, as proposed, the Department would not be able to regulate the movement of that pest within the island. How does removing this authority impact the recently adopted amendments to HAR Chapter 4-72, specifically, the Department's ability to quarantine infested materials for local sale at nurseries? We respectfully ask you to reconsider removing this important authority.

#### **Restructure of the Hawaii Invasive Species Council**

*Part III Section 19 (page 22-23) proposes for the newly established Deputy Chairperson of Biosecurity to oversee all of the State's biosecurity initiatives, including programs under HRS 194 - the Hawaii Invasive Species Council (HISC).*

HISC is a large multi-agency council co-chaired by the Chairperson (or their designated representative) of HDOA and Department of Land and Natural Resources (DLNR). As co-Chair, HDOA currently has the ability to influence and guide HISC's strategies and work. The Deputy Chairperson of Biosecurity can already represent HDOA on the Council. The Council is composed of the Directors or Chairpersons of five State Departments and the President of the University of Hawaii. Requiring the Council of Department Directors to be overseen by a Deputy of one Department removes the interdepartmental collaborative purpose, autonomy, and mandate of the Council.

**Deputy Chairpersons of Biosecurity**

*Part III Section 19 (page 23 line 3-5) proposes the newly established deputy chairperson of biosecurity be appointed by the governor*

*Part III Section 20 (page 30 line 18 to page 31 line 3) creates two additional deputies to the department of agriculture and biosecurity that are assigned by the chairperson and approved by the governor.*

The language referring to the appointment of 3 additional deputies needs clarification. Is the intent of the bill to create 3 new leadership positions without regard to chapter 76 and exempt from civil service law?

The current Deputy Chairperson of HDOA is appointed by the governor and requires the advice and consent of the Senate. The newly established leadership position of the deputy chairperson of biosecurity does not appear to be consistent with the appointment of other Deputy Directors and require the advice and confirmation of the Senate.

**Invasive Species Treatment Dashboards**

*Part VI Section 31 (page 71 line 16 to page 72 line 10,) proposes the addition of HRS 150A-G to require the establishment of an invasive species dashboard*

Invasive species cross landowner boundaries and overlap jurisdiction, it takes a collaborative multi-entity approach to protect Hawaii from devastating invasive species impacts. KISC applauds the intent of this section to provide transparency to the community on invasive species issues in their area. However, we are concerned with the potential interpretation of language in this section and believe it warrants further clarity. For example: What level of data will be required to be shared on this dashboard? – private citizen's data should be respected and protected. What frequency and timeframe are considered regular and timely for compliance? What invasive species are required to be included on the dashboard? Are invasive species that have been detected and are not actively under a treatment plan required to be on the dashboard?

Thank you for the opportunity to provide comments. KISC appreciates the broader intent of SB1100 SD2 HD1 and is supportive of increasing the State's biosecurity efforts.



Tiffani Keanini

Manager - Kauai Invasive Species Committee





House of Representatives  
Committee on Consumer Protection and Commerce  
Tuesday, March 18, 2025  
2:05 PM Conference Room 329  
State Capitol  
415 South Beretania Street

**LATE**

**SUBJECT: Testimony – Providing Comments on SB1100 HD 1 “Relating to Biosecurity”**

Aloha Chair Matayoshi, Vice Chair Chun, and Members of the Committee,

I am writing on behalf of the O’ahu Invasive Species Committee (OISC) to express appreciation for the legislature recognizing the urgent need to bolster statewide biosecurity and invasive species management. Improving prevention and response efforts for invasive species will be critical to the success of on-going and future responses to high-priority pests that pose significant threats to our State.

**OISC offers comments regarding several portions of this bill:**

- 1. Removal of Chapter 194 from list of biosecurity initiatives overseen by the Deputy Chairperson of Biosecurity (Part III, Section 19)**
- 2. Requirements for the Deputy Chairperson of Biosecurity (Part III, Sections 19 & 20)**
- 3. Removal of authority to regulate the inter and intra island movement of pests under Chapter 150A HRS (Section 27)**
- 4. Addition of biosecurity experts to the Board of Agriculture and Biosecurity (Section ? Part II?)**
- 5. Extending participation to State and local government employees in the Biosecurity Emergency Response Part IV)**
- 6. Request for clarity on data-sharing requirements for dashboard (? section**

### **1. Removing Chapter 194 from the list of biosecurity initiatives overseen by the Deputy Chairperson of Biosecurity**

The House Committee on Agriculture & Food Systems amended the bill during the committee hearing on March 12, 2025 to remove all portions that indicate the movement of the Hawai’i Invasive Species Council (HISC) from being administered under the Department of Land & Natural Resources (DLNR) to the proposed Department of Agriculture and Biosecurity (DOAB). In Section 19, page 23, lines 1-2 still contain Chapter 194, which pertains to HISC, as a biosecurity initiative that would be moved under the oversight of the Deputy Chairperson for Biosecurity. OISC respectfully asks the committee to remove that reference from the listed initiatives.

### **2. Requirements for the Deputy Chairperson of Biosecurity**

The bill indicates that on page 23, line 5, that the Deputy Chairperson for Biosecurity that would be established would be appointed by the Governor. Increasing the amount of experts and professionals dedicated to biosecurity and protecting our State from the threats of invasive species is needed, and establishing the position at the Department of Agriculture and Biosecurity strengthens both DOAB and statewide biosecurity efforts. However, OISC asks this committee to add “and confirmed by the senate” to

that portion of the bill. Successful biosecurity is crucial to many industries in addition to agriculture, so ensuring the proper vetting for that position will be important to successful biosecurity initiatives.

### **3. Removal of authority to regulate the inter and intra island movement of pests under Chapter 150A HRS**

In order to reduce and prevent the spread of high-priority invasive species, OISC would ask the Committee to restore the language providing DOAB the authority to regulate inter and intra island movement of pests. Starting on page 59, lines 7-11, this language provides DOAB the ability to adopt rules that regulate the movement of pest-infested materials between islands and within an island. The proposed removal of that language would remove the authority for the amendments to Chapter 72 Hawai'i Administrative Rules (HAR) that were adopted last year. The removal of this language will make it more difficult for DOAB to regulate the movement of pest-infested materials, one of the leading causes of islandwide and statewide establishment of priority pests. Restoring this island will provide additional regulatory capacity to mitigate the spread of invasive species and strengthen biosecurity efforts.

### **4. Addition of biosecurity experts to the Board of Agriculture and Biosecurity**

Given the proposed expansion for the Department of Agriculture to take on more statewide biosecurity responsibilities, it would make sense to add more biosecurity expertise to the proposed Board of Agriculture and Biosecurity. OISC suggests adding language that indicates expertise in invasive species response community and the conservation community. These inclusions will ensure that biosecurity is addressed not only from the agricultural lens, but also from the lenses of ecosystem protection and watershed health. Adding these positions will align with the DOAB mission and strengthen statewide biosecurity.

### **5. Extending participation to State and local government employees in the Biosecurity Emergency Response**

During a declared biosecurity emergency, it will be crucial to increase capacity alongside expertise. In Part IV of this bill which begins on line 13 of page 35, the DOAB Chairperson may provide pay and liability protections to a designated team of individuals. OISC supports the intent of this section of the bill as it would strengthen rapid-response efforts to a new detection of a high-priority pest. However, excluding other State and local government employees from this pool of resources could jeopardize the success of a response. Creating a biosecurity emergency response team is a good idea, but excluding experts in the field may lead to a weaker response. OISC encourages this Committee to prioritize government employees with expertise in responding to a biosecurity emergency. This proposed revision would allow for experts who are already working in the biosecurity realm to join the emergency efforts.

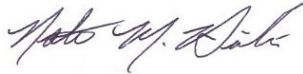
### **6. Request for clarity regarding the invasive species dashboard**

Starting on line 16 of page 71, there is a lack of clarity regarding the invasive species dashboard. OISC always provides data to funders but publishing certain types of protected data may violate the University of Hawai'i (UH) Data Governance Policy. Certain types of protected data classes, that can include personal information like addresses, require special care both in housing the data and publishing the data. On lines 8-9 of page 72, section (C) goes on to say that any contracted party who does not comply will be made ineligible to receive or expend public funds. It is unclear if this means State funds or if this would prevent an entity from also receiving both county and federal funds. Furthermore, it is unclear if this would apply to entities only who require a government-industry agreement. If this portion of the bill includes other entities, for example UH projects like OISC, there may be legal complications regarding sharing protected

data (e.g. personal information like addresses) that is then published to a public dashboard without an agreement in place between UH and DOAB. Additionally, this may indirectly move authority for HISC solely under the Deputy Chair of Biosecurity at DOAB and could lead to reductions in biosecurity across the State. OISC respectfully asks for more clarity regarding this portion of the bill.

On behalf of OISC, I would like to again express my gratitude to the legislature and these committees in recognizing the urgent need to increase and improve biosecurity across the state. Addressing the growing threats posed by invasive species will be crucial in protecting our industries, resources, and way of life. I greatly appreciate the opportunity to provide testimony for your consideration regarding these important matters. Please do not hesitate to reach out should you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Nate Dube", written in a cursive style.

Nate Dube  
OISC Manager  
oiscmgr@hawaii.edu



**LATE**

Testimony on SB 1100, SD2, HD1, Relating to Biosecurity

House Committee on Consumer Protection & Commerce  
March 18, 2025

Aloha Chair Matayoshi, Vice Chair Chun, and Members of the Committee,

The Hawaii Harbors Users Group (HHUG) is writing to **respectfully oppose SB 1100, SD2, HD1**, relating to biosecurity. This bill would, among other provisions, require inspections.

Please note that this bill allows “volunteer emergency biosecurity disaster response personnel” to have the same powers, rights, duties, and privileges as regular state employees. We would be concerned whether these provisions include law enforcement responsibilities.

In addition, on page 39, lines 5-13, this bill exempts volunteer emergency biosecurity disaster response personnel engaged in the emergency response from liability “for the death of or injury to any person, or for damage to property” as a result of any act or omission in the course of rendering “professional biosecurity care” under a mass biosecurity event or condition. This language seems to mean that volunteers are professionals and are therefore exempt from liability for damage to shipping containers or their contents. Our understanding is that there is also an exemption that would allow shipping companies to seek coverage under our insurance policies for “injury or damage sustained from the operation of any vehicle that may be insured[...] to the extent of the insurance.” The State or entity conducting the inspection or visit must be liable for any and all damages to a carrier’s cargo or equipment due to negligence of emergency biosecurity response personnel, including volunteers. A carrier should not need to seek coverage under its insurance carrier for damages caused by a third party.

Among other concerns are the establishment of private inspection facilities, the definition of importers, and the assessment of costs on the importer. Hawaii’s economy is reliant on the efficient and effective movement of cargo through its harbors. While we appreciate the intent behind ensuring biosecurity, HHUG would like to express concerns about logistics and provisions in this bill.

Mahalo for the opportunity to provide comments in opposition to this bill.



**MAUI**  
CHAMBER OF COMMERCE  
VOICE OF BUSINESS

**LATE**

**HEARING BEFORE THE HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE  
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 329  
Tuesday, March 18, 2025 AT 2:05 P.M.**

To The Honorable Scot Z. Matayoshi, Chair  
The Honorable Cory M. Chun, Vice Chair  
Members of the Committee on Consumer Protection & Commerce

**SUPPORT SB1100 SD2 HD1 RELATING TO BIOSECURITY**

The Maui Chamber of Commerce **SUPPORTS SB1100 SD2 HD1**, which, among other things, renames the Department of Agriculture as the Department of Agriculture and Biosecurity; establishes a Deputy Chairperson for Biosecurity; requires the Department of Agriculture and Biosecurity to establish an emergency response team to respond to biosecurity events; authorizes the department to establish transitional facilities; requires the Department of Commerce and Consumer Affairs to license and train biosecurity inspectors to inspect imported plants and animals; requires inspection of various items transported interisland; increases penalties for illegally transporting plants, animals, and microorganisms; requires the department to establish government-industry agreements to detect and respond to unwanted organisms in Hawaii; and authorizes pest management plans to address, contain, or eradicate pests.

The Chamber supports the strengthening of penalties for illegal plant and animal imports and the authorization for the creation of private transitional facilities to inspect imported plants and animals.

Additionally, the measure increases funding for biosecurity enforcement and facilitates cost-sharing agreements with the private sector to enhance biosecurity infrastructure.

Biosecurity is critically important for our island state, and we must strengthen the protection of our fragile ecosystem.

For these reasons, we **SUPPORT SB1100 SD2 HD1** and respectfully request its passage.

Sincerely,

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

**SB-1100-HD-1**

Submitted on: 3/14/2025 5:05:39 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
John R. Gordines	Individual	Support	Remotely Via Zoom

Comments:

This is a good bill and the HDOA will follow through.  
Johnny Gordines

**SB-1100-HD-1**

Submitted on: 3/15/2025 4:03:39 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Oppose	Written Testimony Only

## Comments:

*Aloha Chair Kahaloa, Vice Chair Kusch, and Members of the Committee,*

*My name is Diane Ware and I am writing today to offer the following COMMENTS AND CONCERNS on SB1100 SD2. I appreciate the overall intent of this measure, to emphasize the need for the Department of Agriculture - to be renamed the Department of Agriculture and Biosecurity - to embrace the particular and unique role it plays in our overall biosecurity strategy. However, I STRONGLY OPPOSE placing the Department of Agriculture and the new deputy of biosecurity in charge of the Hawai'i Invasive Species Council and other biosecurity programs outside the Department of Agriculture's current purview. While I recognize and appreciate this measure's effort to get the Department of Agriculture to embrace its long-neglected role in biosecurity, I have serious concerns about placing the Hawai'i Invasive Species Council (HISC) and other external programs and projects under the rebranded Department of Agriculture and Biosecurity (DAB), as well as the lack of accountability mechanisms for the proposed deputy of biosecurity.*

*HISC and its county-based invasive species committees (ISCs) play a critical role in stopping invasive pests before they cause lasting damage to our environment, food systems, and communities. HISC coordinates across agencies to research, plan, engage community, and take action to hold the line and push back against the ever present threat of invasive pests. Despite limited funding, these teams have successfully prevented millions of dollars in damages by responding quickly to outbreaks, leading eradication efforts, and working with community groups to protect our forests, watersheds, and neighborhoods.*

*Moving HISC and the ISCs under DAB would be a big mistake with potentially devastating consequences. The Department of Agriculture has struggled for years to meet its existing responsibilities, and even after receiving historic levels of funding last year, much of that money remains unspent. Shifting control of our already successful invasive species programs to an untested structure within DAB could set us back years in the fight against invasive species.*

*Further, I urge you to consider amendments that will better ensure the department and deputy are held accountable to their responsibilities going forward, such as regular reporting requirements to the Board of Agriculture and the public, deadlines for invasive species action plans with clear benchmarks for actions and outcomes, and initial and biannual confirmation hearings for the appointed deputy of biosecurity.*

*Thank you for your consideration.*

*Sincerely  
Diane Ware, Ka'u Moku*



**SB-1100-HD-1**

Submitted on: 3/17/2025 7:33:30 AM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

Good idea. Makes sense. Mahalo!

**SB-1100-HD-1**

Submitted on: 3/17/2025 10:43:25 AM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Chuck Chimera	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Matayoshi, Vice Chair Chun, and Members of the Committee::

I am writing to express my strong support for SB1100 SD2 HD1, which seeks to strengthen Hawaii's biosecurity by renaming the Department of Agriculture as the Department of Agriculture and Biosecurity, establishing a Deputy Chairperson for Biosecurity, and implementing critical measures to prevent, detect, and respond to invasive species and biosecurity threats.

Hawaii's unique ecosystems and agricultural industries are under constant threat from invasive species, pests, and diseases. The measures outlined in SB1100 SD2 HD1, such as the establishment of transitional facilities, licensing of biosecurity inspectors, and increased penalties for illegal transportation of plants and animals, are essential to safeguarding our environment, economy, and food security.

Additionally, I would like to highlight the importance of SB1100 SD2 HD1 in conjunction with HB427 HD2. Together, these bills create a comprehensive framework to address biosecurity challenges by enhancing coordination, funding, and enforcement mechanisms. HB427 HD2's focus on funding for biosecurity programs and personnel complements SB1100 HD1's structural and operational improvements, ensuring that Hawaii is better equipped to prevent and respond to biosecurity emergencies.

The establishment of government-industry agreements, an invasive species dashboard, and pest management plans under SB1100 SD2 HD1 will provide real-time data, foster collaboration, and enable proactive management of invasive species. These measures are critical to protecting Hawaii's natural resources, agricultural industries, and public health.

I urge the Committee to pass SB1100 SD2 HD1 and recognize its importance in conjunction with HB427 HD2. Strengthening Hawaii's biosecurity is not just a necessity—it is an urgent priority to protect our islands for future generations.

Mahalo for the opportunity to testify in support of this vital legislation.

Respectfully,  
Chuck Chimera  
Honokaa



**LATE**

**SB-1100-HD-1**

Submitted on: 3/17/2025 5:58:08 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Benton Kealii Pang, Ph.D.	Individual	Comments	Written Testimony Only

Comments:

Aloha Chair Matayoshi, Vice Chair Chun, and Members of the Committee,

I appreciate the opportunity to provide **COMMENTS** on SB1100 SD2 HD1 and respectfully request an amendment to ensure that the Hawai‘i Invasive Species Council (HISC) remains independent and is not placed under the authority of the newly renamed Department of Agriculture and Biosecurity.

I acknowledge and appreciate the House Draft amendments, which aim to prevent HISC from being fully absorbed under the Department of Agriculture’s (HDOA) authority. However, Section 19 of this bill still grants oversight of HISC’s authorizing statute (HRS Chapter 194) to HDOA, posing a serious risk to HISC’s funding, operational capacity, and effectiveness. HISC and its invasive species committees play a critical role in coordinating multi-agency efforts to protect Hawai‘i from invasive species. Placing them under HDOA’s jurisdiction could limit their ability to execute robust, science-based strategies that extend beyond agriculture.

HDOA has a narrow mission and limited capacity, and it has struggled to fully implement its own biosecurity programs. It is not structured to lead cross-sector invasive species initiatives that require strong coordination between conservation, public health, marine, and terrestrial resource management agencies. For these reasons, *I urge the committee to remove the reference to Chapter 194 in Section 19 of this bill.*

Additionally, to ensure accountability and transparency, *I respectfully request that the Committee require the Deputy of Biosecurity to provide regular reports to both the Board of Agriculture and the Legislature.* This would ensure that the biosecurity initiatives outlined in this bill are effectively implemented and aligned with Hawai‘i’s broader invasive species management goals.

Mahalo for your time and consideration of these comments.

Sincerely,  
Benton Kealii Pang, Ph.D.

**LATE**

**SB-1100-HD-1**

Submitted on: 3/17/2025 6:20:07 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Madison Owens	Individual	Comments	Written Testimony Only

Comments:

*Aloha Chair Matayoshi, Vice Chair Chun, and Members of the Committee,*

*I would like to offer COMMENTS on SB1100 SD2 HD1, requesting an amendment to prevent the Hawai'i Invasive Species Council (HISC) from being placed under the authority of the newly renamed Department of Agriculture and Biosecurity.*

*I am grateful for the amendments made in the House Draft of this measure, intended to ensure that HISC is not placed under the authority and oversight of the Hawai'i Department of Agriculture (to be renamed the Department of Agriculture and Biosecurity). However, Section 19 of this House Draft would still give the Department oversight over HISC's authorizing HRS Chapter 194 - placing our critically vital HISC and its invasive species committees at risk of being neglected, sidelined, or even defunded.*

*In light of the Department of Agriculture's limited mission and demonstrated inability to support its own biosecurity programs, much less the robust strategies employed by HISC, I urge the committee to delete the reference to Chapter 194 in Section 19 of this bill.*

*I also ask that the Committee further ensure that any Deputy of Biosecurity be made subject to regular reporting requirements to the Board of Agriculture and the Legislature, to ensure that their performance adequately furthers the vision of this bill.*

*Mahalo nui for your consideration of these comments.*

*Madison Owens*

**LATE**

**SB-1100-HD-1**

Submitted on: 3/17/2025 6:35:51 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Lei Fisher	Individual	Comments	Written Testimony Only

Comments:

Aloha e Chair Matayoshi, Vice Chair Chun, and Members of the Committee,

I offer **COMMENTS** on SB1100 SD2 HD1, requesting an amendment to prevent the Hawai'i Invasive Species Council (HISC) from being placed under the authority of the newly renamed Department of Agriculture and Biosecurity.

I am grateful for the amendments made in the House Draft of this measure, intended to ensure that HISC is not placed under the authority and oversight of the Hawai'i Department of Agriculture (to be renamed the Department of Agriculture and Biosecurity). However, Section 19 of this House Draft would still give the Department oversight over HISC's authorizing HRS Chapter 194 - placing our critically vital HISC and its invasive species committees at risk of being neglected, sidelined, or even defunded.

In light of the Department of Agriculture's limited mission and demonstrated inability to support its own biosecurity programs, much less the robust strategies employed by HISC, I urge the committee to delete the reference to Chapter 194 in Section 19 of this bill.

I also ask that the Committee further ensure that any Deputy of Biosecurity be made subject to regular reporting requirements to the Board of Agriculture and the Legislature, to ensure that their performance adequately furthers the vision of this bill.

Mahalo nui for your consideration of these comments,

Lei Fisher

**LATE**

**SB-1100-HD-1**

Submitted on: 3/17/2025 6:38:19 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Comments	Written Testimony Only

Comments:

I am writing today to offer the following COMMENTS AND CONCERNS on SB1100 SD2 HD1.

I STRONGLY OPPOSE placing the Department of Agriculture and the new deputy of biosecurity in charge of the Hawai'i Invasive Species Council and other biosecurity programs outside the Department of Agriculture's current purview and am therefore requesting an amendment.

Section 19 of the current measure would give the Department oversight over HISC's authorizing HRS Chapter 194 - placing our critically vital HISC and its invasive species committees at risk of being neglected, sidelined, or even defunded. I urge the committee to delete the reference to Chapter 194 in Section 19 of this bill.

I also ask that the Committee further ensure that any Deputy of Biosecurity be made subject to regular reporting requirements to the Board of Agriculture and the Legislature, to ensure that their performance adequately furthers the vision of this bill.

Little fire ants showed up last year at the Punahou Carnival What more should I have to say? We need to have an agency that takes invasive species seriously and actually acts.

Mahalo nui for your consideration of these comments.

**LATE**

**SB-1100-HD-1**

Submitted on: 3/17/2025 6:40:32 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Uilani Naipo	Individual	Comments	Written Testimony Only

Comments:

I request an amendment to SB1100 SD2 HD1 that will prevent the Hawai‘i Invasive Species Council (HISC) from being placed under the authority of the newly renamed Department of Agriculture and Biosecurity: please delete the reference to Chapter 194 in Section 19 of this measure.



**LATE**

**SB-1100-HD-1**

Submitted on: 3/17/2025 6:47:26 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Aree Worawongwasu	Individual	Comments	Written Testimony Only

Comments:

Aloha Chair Matayoshi, Vice Chair Chun, and Members of the Committee,

I would like to offer COMMENTS on SB1100 SD2 HD1, requesting an amendment to prevent the Hawai'i Invasive Species Council (HISC) from being placed under the authority of the newly renamed Department of Agriculture and Biosecurity.

I am grateful for the amendments made in the House Draft of this measure, intended to ensure that HISC is not placed under the authority and oversight of the Hawai'i Department of Agriculture (to be renamed the Department of Agriculture and Biosecurity). However, Section 19 of this House Draft would still give the Department oversight over HISC's authorizing HRS Chapter 194 - placing our critically vital HISC and its invasive species committees at risk of being neglected, sidelined, or even defunded.

In light of the Department of Agriculture's limited mission and demonstrated inability to support its own biosecurity programs, much less the robust strategies employed by HISC, I urge the committee to delete the reference to Chapter 194 in Section 19 of this bill.

I also ask that the Committee further ensure that any Deputy of Biosecurity be made subject to regular reporting requirements to the Board of Agriculture and the Legislature, to ensure that their performance adequately furthers the vision of this bill.

Mahalo nui for your consideration of these comments.

Aree Worawongwasu, PhD student, University of Hawai'i at Mānoa.

**LATE**

**SB-1100-HD-1**

Submitted on: 3/17/2025 7:08:08 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Danielle Frohlich	Individual	Comments	Written Testimony Only

Comments:

*Aloha Chair Matayoshi, Vice Chair Chun, and Members of the Committee,*

*I would like to offer COMMENTS on SB1100SD2 HD1, requesting an amendment to prevent the Hawai'i Invasive Species Council (HISC) from being placed under the authority of the newly renamed Department of Agriculture and Biosecurity.*

*I am grateful for the amendments made in the House Draft of this measure, intended to ensure that HISC is not placed under the authority and oversight of the Hawai'i Department of Agriculture (to be renamed the Department of Agriculture and Biosecurity). However, Section 19 of this House Draft would still give the Department oversight over HISC's authorizing HRS Chapter 194 - placing our critically vital HISC and its invasive species committees at risk of being neglected, sidelined, or even defunded.*

*In light of the Department of Agriculture's limited mission and demonstrated inability to support its own biosecurity programs, much less the robust strategies employed by HISC, I urge the committee to delete the reference to Chapter 194 in Section 19 of this bill.*

*I also ask that the Committee further ensure that any Deputy of Biosecurity be made subject to regular reporting requirements to the Board of Agriculture and the Legislature, to ensure that their performance adequately furthers the vision of this bill.*

*Mahalo nui for your consideration.*

**LATE**

**SB-1100-HD-1**

Submitted on: 3/17/2025 7:26:22 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Patrice Choy	Individual	Comments	Written Testimony Only

Comments:

RE Comments on SB1100 SD2 HD1

I would like to add my voice to requesting an amendment to prevent the Hawaii Invasive Species Council (HISC) from being placed under the authority of the newly renamed Department of Agriculture and Biosecurity.

I am grateful for the amendments made in the House Draft of this measure, intended to ensure that HISC is not placed under the authority and oversight of the Hawai'i Department of Agriculture (to be renamed the Department of Agriculture and Biosecurity). However, Section 19 of this House Draft would still give the Department oversight over HISC's authorizing HRS Chapter 194 - *placing our critically vital HISC and its invasive species committees at risk of being neglected, sidelined, or even defunded.*

In light of the Department of Agriculture's limited mission and ***demonstrated inability to support its own biosecurity programs***, much less the robust strategies employed by HISC, *I urge the committee to delete the reference to Chapter 194 in Section 19 of this bill.*

I also ask that the Committee further ensure that any Deputy of Biosecurity be made subject to **regular reporting requirements** to the Board of Agriculture and the Legislature, to ensure that their performance adequately furthers the vision of this bill.

Thank you.

**LATE**

**SB-1100-HD-1**

Submitted on: 3/17/2025 7:53:37 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Monica Morris	Individual	Comments	Written Testimony Only

Comments:

*Aloha Chair Matayoshi, Vice Chair Chun, and Members of the Committee,*

*I would like to offer COMMENTS on SB1100 SD2 HD1, requesting an amendment to prevent the Hawai'i Invasive Species Council (HISC) from being placed under the authority of the newly renamed Department of Agriculture and Biosecurity.*

*I am grateful for the amendments made in the House Draft of this measure, intended to ensure that HISC is not placed under the authority and oversight of the Hawai'i Department of Agriculture (to be renamed the Department of Agriculture and Biosecurity). However, Section 19 of this House Draft would still give the Department oversight over HISC's authorizing HRS Chapter 194.*

*I therefore urge the committee to delete the reference to Chapter 194 in Section 19 of this bill.*

*I also ask that the Committee further ensure that any Deputy of Biosecurity be made subject to regular reporting requirements to the Board of Agriculture and the Legislature, to ensure that their performance adequately furthers the vision of this bill.*

*Mahalo nui for your consideration of these comments.*

*Sincerely, Monica Morris*

**LATE**

**SB-1100-HD-1**

Submitted on: 3/17/2025 9:38:47 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
John L Reppun	Individual	Comments	Written Testimony Only

Comments:

Subject: SB1100, SD2, HD1 Relating to Biosecurity

Committee on Consumer Protection & Commerce:

Aloha Chair Matayoshi, Vice Chair Chun, Committee Members

Mahalo for the opportunity to provide testimony on this critical legislation. As a lifetime community planning advocate, farmer in Waiahole, Ko'olaupoko O'ahu I am extremely concerned about our island-state's biosecurity and the impact of invasives that have, for a long time, threatened not just agriculture but also all aspects of life in these vulnerable islands. The past couple of years' here on O'ahu have been a troubling wake-up call with respect to some of salient (but not the only) invasives such as Little Fire Ants, Coconut Rhinoceros Beetles, Coqui Frogs and more.

A huge thanks is warranted, here on O'ahu, to our Windward legislators and elected officials that have stepped up to address the issue of management/containment - not just during session but throughout the year, working with communities to increase awareness, facilitate/participate in response and more. We've so much further to go just to try to catch up!

While I support for mandating the additional focus of "biosecurity" and emergency response capacity within the Department of Agriculture (where past failures have been a major cause of our current challenges) it is imperative that we **not** place the Hawaii Invasive Species Committees (and their respective county branches) under the authority of a newly-named *Department of Agriculture and Biosecurity*. The HISCs, necessarily, have a much broader reach, working as they do with the similarly broad environmental reach and mission of the Department of Land & Natural Resources, the scientific community at the University of Hawaii, individual counties/islands/community etc..

Agricultural lands are but a part of our island geography... clearly, and as history has shown, already more than the Dept can handle. Perhaps the new title for the Department should be simply (and more focused): the **Department of Agriculture and Agricultural Biosecurity (DOAAB)**. Coordination between and among entities and Departments can and should then continue via entities such as CGAPS (Coordinating Group for Alien Pest Species).

Mahalo for your consideration

John L. Reppun (808)277-8686; jreppun@gmail.com

**LATE**

**SB-1100-HD-1**

Submitted on: 3/17/2025 10:05:48 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Joseph Wat	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha nui kākou,

I appreciate 95% of this bill but am unable to support it until a single issue has been rectified.

As written, HISC would move from DLNR to HDOA and I have the following issues with this change.

1. We are at a critical pivot point in O‘ahu’s management of invasive species. Moving HISC is an unnecessary administrative speedbump in an already wildly unpredictable funding environment. To my knowledge, HISC being administered through DLNR is not responsible for any of the delays in HDOA’s delivery of services from the \$10,000,000 allocated last session.
2. There are no barriers to HDOA participating in HISC management in the current structure. HDOA sits on the steering committee. I recommend legislative review of meeting notes to see if HDOA has chosen to be a participant in these processes.
3. If HDOA is the correct home for HISC, this will still be true in 2 years. Lets make a few changes at a time to prioritize the delivery of services instead of upheaving the organizations who have been working on the research and program activities so far.
4. HDOA is not the clear "best fit" for HISC. DLNR includes the Department of Aquatic resources, clearly the best fit for managing projects like octocorl and manjano anenomes that are incoming threats to our ocean food sources. Wildland management of things like cane ti and myconia in our furthest mauka regions are also essential.
5. HISC management is a significant administrative burden. There are countless permits required for activities like helicopter flights for arial treatments of myconia that would benefit from continuity.
6. While I understand this is not appropriately documented., Sharon Hurd told me at a community meeting that she was specifically looking for federal grants with high overheads because HDOA does not have the administrative capacity to delivery essential programming. Please don’t let HISC services get caught up in the shuffle.

It is not my position to decide what the appropriate organizational structure for state departments might be. That power clearly stands with some level of government far above my head.

However, every month of delay adds up to growing increases in infestation size and spread. In my opinion as someone who has worked with countless agencies to hustle for my community, building on the current system leads to the better outcome for Hawai‘i.

Aloha no,

- Joe



**LATE**

**SB-1100-HD-1**

Submitted on: 3/17/2025 10:07:02 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Shishido	Individual	Comments	Written Testimony Only

Comments:

Aloha Chair Matayoshi, Vice Chair Chun, and Members of the Committee,

I would like to offer COMMENTS on SB1100 SD2 HD1, requesting an amendment to prevent the Hawai'i Invasive Species Council (HISC) from being placed under the authority of the newly renamed Department of Agriculture and Biosecurity.

I am grateful for the amendments made in the House Draft of this measure, intended to ensure that HISC is not placed under the authority and oversight of the Hawai'i Department of Agriculture (to be renamed the Department of Agriculture and Biosecurity). However, Section 19 of this House Draft would still give the Department oversight over HISC's authorizing HRS Chapter 194 - **placing our critically vital HISC and its invasive species committees at risk of being neglected, sidelined, or even defunded.**

**In light of the Department of Agriculture's limited mission and demonstrated inability to support its own biosecurity programs, much less the robust strategies employed by HISC, I urge the committee to delete the reference to Chapter 194 in Section 19 of this bill.**

I also ask that the Committee further ensure that any Deputy of Biosecurity be made subject to **regular reporting requirements** to the Board of Agriculture and the Legislature, to ensure that their performance adequately furthers the vision of this bill.

Mahalo nui for your consideration of these comments.

Best,

Karen Shishido

96822