

Honolulu, Hawaii

MAR 3 0 2026

RE: H.B. No. 1931
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred H.B. No. 1931, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a State Noxious Weed Coordinator position and update the process for designating and managing noxious weeds;
- (2) Allow public proposals to add, amend, or remove noxious weed designations;
- (3) Require notice and public reporting;
- (4) Clarify the authority of the Department and Board of Agriculture and Security;
- (5) Authorize updates to the noxious weed list to be adopted by order and classify noxious weeds into three categories;
- (6) Strengthen enforcement and penalties; and



- (7) Update departmental duties for noxious weed control and eradication.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Agriculture and Biosecurity, Office of Hawaiian Affairs, Coordinating Group on Alien Pest Species, Hawai'i Farmers Union United, Sierra Club of Hawai'i, Hawai'i Farm Bureau, Kūpuna for the Mo'opuna, Hawai'i Food+ Policy, Big Island Invasive Species Committee, Free Access Coalition, and twenty-seven individuals.

Your Committee finds that, while the State's noxious weed list can help mitigate the domestic introduction and spread of invasive plants, the current noxious weed list is out-of-date, lacks scientific validation and public input, and fails to account for recent commitments by the State to strengthen biosecurity. The State's economic, ecological, and cultural heritage are consistently threatened by both established and newly introduced plants. Your Committee further finds that it is critical to the sustainability of the State's agriculture industry to keep the list of banned plant species current and comprehensive. By modernizing and revitalizing the noxious weed statutes, this measure will assist in the management of invasive plants, thus protecting native ecosystems, agricultural productivity, and public safety.

Your Committee acknowledges the concerns raised in testimony by the Department of Agriculture and Biosecurity regarding the proposal process and protocols. The measure does not provide a mechanism for the State Noxious Weed Coordinator to administratively review and deny proposals before the proposals are forwarded to the Board of Agriculture and Biosecurity, particularly given the expanded definition of "noxious weed". Requiring the Board to review proposals that are incomplete or contain insufficient information would divert resources from complete proposals. Your Committee notes that the deadline requirement for the Board to vote on a proposal does not provide for an equal decision time for each proposal. Additionally, there is ambiguity in the period for public comment, specifically the date by which public comment shall no longer be accepted. Consequently, these issues create uncertainty throughout the Board of Agriculture and Biosecurity's proposal review process.



Your Committee further notes that the term "limited distribution" is not defined when used to delineate class A and class B noxious weeds. Without clear criteria or thresholds, this may lead to inconsistent application of the classification system. Your Committee also notes that the role of the State Noxious Weed Coordinator position is well-established in this measure, and that adopting rules to define qualifications, responsibilities, and reporting requirements for the Coordinator position may be redundant. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have authorized the Department of Agriculture and Biosecurity to adopt rules to define qualifications, responsibilities, and reporting requirements for the State Noxious Weed Coordinator;
- (2) Inserting language that authorizes the State Noxious Weed Coordinator to deny incomplete proposals before Board review;
- (3) Clarifying that the Board of Agriculture and Biosecurity shall vote on each proposal within one hundred eighty days after the meeting at which the proposal is accepted for review;
- (4) Specifying that the public comment period begins upon the Board of Agriculture and Biosecurity's acceptance of a proposal and concludes when the Board takes final action;
- (5) Authorizing the Department of Agriculture and Biosecurity to define "limited distribution" by adopting rules pursuant to chapter 91, Hawaii Revised Statutes; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that this measure, as amended, does not contain an appropriation. Should your Committees on Judiciary and

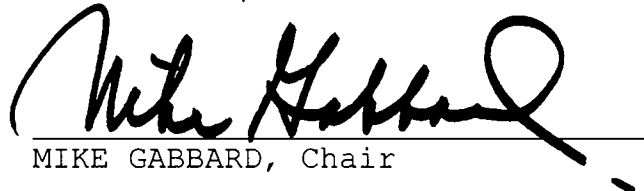


Ways and Means choose to deliberate on this measure, your Committee respectfully requests that they consider the Department of Agriculture and Biosecurity's request for:

- (1) \$120,000 for the establishment of one full-time equivalent (1.0 FTE) State Noxious Weed Coordinator position; and
- (2) \$120,000 for the establishment of one full-time equivalent (1.0 FTE) Biosecurity Inspector position.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1931, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1931, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

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


MIKE GABBARD, Chair



