



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

H.B. NO. 2207, H.D. 2, S.D. 1, RELATING TO INVASIVE SPECIES.

BEFORE THE:

SENATE COMMITTEE ON WAYS AND MEANS

DATE: Monday, April 6, 2026

TIME: 10:32 a.m.

LOCATION: State Capitol, Room 211

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Jennifer Waihee-Polk,
Deputy Attorney General, at (808) 586-1180.)

Chair Dela Cruz and Members of the Committee:

The Department of the Attorney General provides the following comments.

The original purpose of this bill, which amended section 141-17, Hawaii Revised Statutes (HRS), was to: "(1) Allow for the use of monofilament netting for purposes of protecting plants against invasive species under certain conditions; and (2) Require the department of agriculture and biosecurity to establish rules allowing the sale and distribution of fine mesh nets, including certain monofilament netting, in the State to protect plants from the coconut rhinoceros beetle." See H.B. No. 2207, H.D. 2, page 1, line 16, through page 2, line 8. See also original bill H.B. No. 2207, page 2, lines 3-10.

The Senate Committee on Agriculture and Environment amended the original purpose of the bill to add the following purposes: "(1) Establish a working group of private industry signatories for joint decision-making; (2) Protect the department of agriculture and biosecurity and the counties, including officers, employees, and authorized agents of the department and counties, from liability when entering private property to control or eradicate pests;" . . . and (5) Rename government-industry agreements to biosecurity government-industry agreements to prevent confusion with a program with similar initials." See page 2, line 21, through page 3, line 18.

In League of Women Voters of Honolulu v. State, 150 Hawai'i 182, 205, 499 P.3d 382, 405 (2021), the Hawai'i Supreme Court held that the constitutional requirement

that a bill must pass three readings in each house "begin[s] anew after a non-germane amendment changes the object or subject of a bill so that it is no longer related to the original bill as introduced." The germaneness inquiry broadly considers whether the amendment alters the bill in a way that fundamentally changes the bill's general purpose.

In this case, the purpose of the bill has been extended to include provisions far outside the purpose of the original bill, which was limited to the use and sale of fine mesh nets for protection of plants.

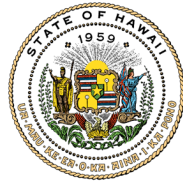
We note that there is a risk that a court could conclude that the amendments in S.D. 1 are outside the scope of the purpose of the original bill and that the amended bill will violate article III, section 15, of the Hawai'i Constitution if it does not receive three readings in each house.

To avoid this potential challenge, we suggest reverting the text of this bill to what was stated in the H.D. 2 version, or in the alternative, if the Committee passes this bill as currently drafted as the S.D. 1, then three new readings in the House and two additional readings in the Senate be given on this bill.

Thank you for the opportunity to provide comments.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson
Board of Agriculture & Biosecurity

DEAN M. MATSUKAWA
Deputy to the Chairperson

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

BEFORE THE SENATE COMMITTEE ON WAYS AND MEANS

**MONDAY, APRIL 6, 2026
10:32 AM
CONFERENCE ROOM 211 & VIDEO CONFERENCE**

**HOUSE BILL NO. 2207, HD2, SD1
RELATING TO INVASIVE SPECIES**

Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 2207, HD2, SD1 relating to invasive species. This bill requires the Department of Agriculture and Biosecurity (Department) to establish a Biosecurity Government-Industry Working Group, clarifies liability for costs relating to eradicating pests, and establishes rules allowing the sale and distribution of fine mesh nets, including monofilament netting, in the State to protect plants from the coconut rhinoceros beetle (CRB). The Department supports this bill.

Invasive species are of major concern to the State and Government-industry agreements will be an important tool for the Department in responding to invasive species. These agreements create expectations and foster collaboration for all agencies and organizations involved. It also increases the Department's readiness and resources when responding to outbreaks. Industry partners already have the necessary equipment and trained staff for pesticide applications, minimizing risk and housing essentially an on-call, well-trained workforce. The Department believes that those participating in the agreements should have minimized liability for the required work, such as from the application of pesticides by the State or industry partners for control or eradication activities conducted during a rapid response effort. The creation of the government-industry working group will also ensure that the industry is at the forefront of biosecurity efforts related to pests and invasive species as they serve as a critical control point in preventing and managing their introduction and spread, such as with CRB.

Testimony of Sharon Hurd

April 6, 2026

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The Department is currently responding to CRB, and the Department understands the need for more tools to mitigate the impacts of CRB due to the devastating damage the insect has caused within the State and in other parts of the world such as Guam. Proper netting has been proven to be an effective, nonchemical method that can enhance the repertoire of control methods for CRB. The Department will continue to encourage and provide support for the development of tools to combat CRB.

Thank you for the opportunity to testify to this measure.



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
Senate Committee on Ways and Means
Monday, April 6, 2026 at 10:32 a.m.

By

Parwinder Grewal, Dean
College of Tropical Agriculture and Human Resilience
and

Vassilis L. Syrmos, PhD
Interim Provost
University of Hawai'i at Mānoa

HB 2207 HD2 SD1 – RELATING TO INVASIVE SPECIES

Chairs Dela Cruz, Vice Chair Moriwaki, and Members of the Committee:

Thank you for the opportunity to provide comments on HB 2207 HD2 SD1 Relating to Invasive Species which requires the Department of Agriculture and Biosecurity (DAB) to establish a Biosecurity Government-Industry Working Group. Clarifies that the Department and the counties, including officers, employees, and authorized agents of the Department and counties, shall not be liable for costs relating to the entering of private property to control and eradicate pests. Allows the use of certain monofilament netting for the protection of plants against invasive species. Requires DAB to establish rules allowing the sale and distribution of fine mesh nets, including monofilament netting, in the State to protect plants from the coconut rhinoceros beetle (CRB).

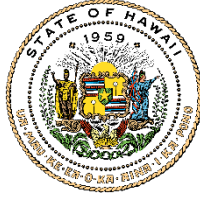
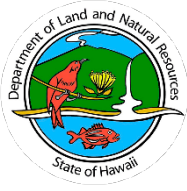
University of Hawai'i at Mānoa College of Tropical Agriculture and Human Resilience (CTHAR) provides critical research, extension, and operational support to combat invasive species, including the CRB. Researchers at CTAHR have been involved since the beetle's detection in 2013, focusing on identifying short-term chemical tools and long-term sustainable management solutions, including biological control. We respectfully offer the following comments:

The CTAHR CRB Response program is a cooperator with the DAB Plant Quarantine and Plant Pest Control Branches for post-border response. We support the use of monofilament netting as a detection tool. We have also worked with the Department of Land and Natural Resources regarding the distribution of netting for use in terrestrial environments. HB 2207 HD2 SD1 establishes a Biosecurity Government-Industry Working Group which includes the Dean of CTAHR as a member. If the measure is approved, CTAHR looks forward to serving as a member of the working group with our agency partners and stakeholders with biosecurity government-industry agreements for the State.

Thank you for the opportunity to offer comments.

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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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
RYAN K.P. KANAKA'OLE
Acting Chairperson

Before the Senate Committee on
WAYS AND MEANS

Monday, April 6, 2026
10:32 AM
State Capitol, Conference Room 211

In consideration of
HOUSE BILL 2207, HOUSE DRAFT 2, SENATE DRAFT 1
RELATING TO INVASIVE SPECIES

House Bill 2207, House Draft 2, Senate Draft 1 (SD1), requires the Department of Agriculture and Biosecurity (DAB) to establish a Biosecurity Government-Industry Working Group (BGIWG). It clarifies that DAB and the counties, including their officers, employees, and authorized agents, are not liable for costs incurred in entering private property to control and eradicate pests. It allows the use of certain monofilament netting to protect plants against invasive species and requires DAB to establish rules permitting the sale and distribution of fine mesh nets, including monofilament netting, in the State to defend plants from the coconut rhinoceros beetle (CRB). **The Department of Land and Natural Resources (Department) supports this measure, especially the sections addressing CRB and nets, and submits comments on the language added with SD1.**

CRB is a major pest throughout the Pacific Region. Its primary host is the coconut palm (*Cocos nucifera*), which helps stabilize soil, prevents coastal erosion, serves as a food source, and is an important cultural symbol in Hawai'i. However, these beetles also damage and kill native species such as the native palm loulou (*Pritchardia spp.*), which are already threatened or endangered. CRB also attacks hala (*Pandanus tectorius*), a vital part of native lowland wet forests. Hala was historically used to weave sails for voyaging canoes and to make practical items like baskets and mats, making it an essential resource in Hawaiian culture.

According to Hawai'i CRB Response, one of the most effective non-chemical methods to protect palm trees (and other CRB target species) from CRB is using a physical cover of monofilament, fine mesh nets (with 1-3-inch holes) to wrap the crowns of palm trees and to cover breeding materials like mulch piles and compost.

The Department supports this bill and its provision for netting to limit the spread of CRB to palm trees and potential breeding materials. Netting with 2-3-inch holes is currently permitted, and this bill would approve smaller mesh sizes for use in protecting against invasive species. Smaller-holed netting is more effective at preventing CRB from passing through.

Regarding Section 2 and the formation of the government-industry working group, the Department recommends including the Department of Business, Economic Development, and Tourism to address the objectives of this section.

Renaming of government-industry agreements to *biosecurity government-industry agreements* (BGIA) will hopefully reduce confusion with other similar acronyms. BGIA is an important way for the industry and DAB to collaborate on biosecurity. Even without BGIA, DAB has the authority to regulate all the activities discussed in Section 5.

Mahalo for the opportunity to comment on this measure.



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April 6, 2026

HEARING BEFORE THE
SENATE COMMITTEE ON WAYS AND MEANS

**TESTIMONY ON HB 2207, HD2, SD1
RELATING TO INVASIVE SPECIES**

Conference Room 211 & Videoconference
10:32 AM

Aloha Chair Dela Cruz, Vice-Chair Moriwake, 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 HB 2207, HD2, SD1, which allows the use, sale, and distribution of fine-mesh nets, including monofilament netting, for protecting plants from the Coconut Rhinoceros Beetle (CRB) and strengthens the collaboration between government and industry.

Invasive species continue to pose one of the most serious threats to Hawai'i's agricultural economy and environment. The CRB has the potential to cause significant damage to palm species that are important to agriculture, landscapes, and cultural resources across the State. Farmers and land owners need access to effective, non-chemical tools to prevent the spread and impact of this pest.

Fine-mesh netting has proven to be an effective tool for preventing CRB damage. HB 2207, HD2, SD1 provides the Department of Agriculture and Biosecurity with clear authority to establish rules governing the responsible use of these nets, while incorporating safeguards to protect birds, native species, and aquatic environments.

In addition, HFB strongly supports the amendments by the Senate AEN Committee that incorporate elements of Biosecurity Government-Industry Agreements:

- Establishing a Biosecurity Government-Industry Working Group to formalize collaboration and joint decision-making;

- Clarifying liability protections for the Department and counties when conducting pest control and eradication activities on private property; and
- Strengthening and renaming biosecurity government-industry agreements to improve coordination, readiness, and response capacity.

Effective biosecurity requires a strong partnership between government and industry. Agricultural producers, nurseries, landscapers, and other stakeholders are often the first to detect emerging threats and play a critical role in rapid response. Formalizing this partnership through a working group structure and clear agreements will improve communication, align resources, and enhance Hawai'i's overall biosecurity system.

Providing farmers with lawful access to effective pest control tools, while also strengthening coordinated response frameworks, represents a practical and balanced approach to protecting Hawai'i's agriculture and environment.

Thank you for the opportunity to provide testimony.

HB-2207-SD-1

Submitted on: 4/5/2026 8:46:03 AM

Testimony for WAM on 4/6/2026 10:32:00 AM

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

Comments:

STRONG SUPPORT!!! MAHALO!