

Honolulu, Hawaii
Feb 16, 2006

RE: H.B. No. 2765
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committees on Agriculture and Energy & Environmental Protection, to which was referred H.B. No. 2765 entitled:

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

beg leave to report as follows:

The purpose of this bill is to address the problem of invasive species in Hawaii by, among other things:

- (1) Requiring the Department of Agriculture (DOA) to designate vertebrate species injurious to the environment or vegetation of value, including the coqui frog, as pests;
- (2) Clarifying that no person shall intentionally or negligently possess, propagate, sell, transfer, transport, or harbor any animal included on the list of prohibited animals maintained by the Board of Agriculture, with certain exceptions;
- (3) Prohibiting all goods determined by DOA to be at risk of transporting a pest from being sold or moved, unless the goods are treated by DOA to eradicate the pest;
- (4) Requiring DOA in collaboration with the Department of Land and Natural Resources (DLNR) to:



- (A) Map and define quarantine areas on each of the six major islands of the state for pests that pose the greatest or immediate danger to the environment;
 - (B) Post signs near or in a quarantine area to identify the area's boundaries; and
 - (C) Adopt civil penalties to be imposed for moving untreated materials from these quarantine areas;
- (5) Requiring each county to develop a county invasive species management plan, which includes a requirement for the removal or eradication of prohibited, invasive, and non-native vegetation or animals from private property;
- (6) Appropriating funds for the development of county invasive species management plans under paragraph (5); and
- (7) Allowing each county to establish an incentive program in which the county pays for some or all of the cost of removing invasive species from property, with the permission of the property owner.

DLNR, Hawaii Farm Bureau Federation, Hawaii Association of REALTORS, The Nature Conservancy of Hawaii, Maui Outdoor Circle, Kihei Akahi A.O.A.O., C&H Farms, and the Maui Invasive Species Committee supported this bill. The Conservation Council for Hawaii supported the intent of this bill. Animal Rights Hawaii opposed this bill. DOA submitted comments.

Your Committees recognize the critical importance of strengthening the effort to control and eliminate invasive species, including the coqui frog.

Accordingly, your Committees have amended this bill by extending the time limit on emergency rules adopted by DOA to eradicate pests from the current limit of 180 days to one year. In addition, other technical, nonsubstantive amendments were made for style, clarity, and consistency.

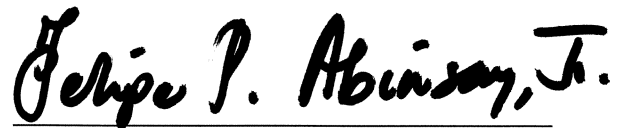


As affirmed by the records of votes of the members of your Committees on Agriculture and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2765, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2765, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Agriculture and
Energy & Environmental
Protection,



HERMINA MORITA, Chair



FELIPE P. ABINSAY, JR., Chair



