

STAND. COM. REP. NO.

2360

Honolulu, Hawaii

FEB 15 2008

RE: S.B. No. 2523

S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committees on Agriculture and Hawaiian Affairs and Energy and Environment, to which was referred S.B. No. 2523 entitled:

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

beg leave to report as follows:

The purpose of this measure is to allow the Department of Agriculture to prohibit the sale of plants designated as restricted plants, prohibit the sale of noxious weeds in the State, and to recognize that designated restricted plants can be pests or can be hosts for pests.

Testimony in support of this measure was submitted by the Department of Agriculture, Department of Land and Natural Resources, The Nature Conservancy, Hawaii Audubon Society, Conservation Council for Hawai'i, Coordinating Group on Alien Pest Species, Big Island Invasive Species Committee, and Sierra Club Hawai'i Chapter.

Your Committees find that agriculture and conservation organizations in the State are fighting to slow down the invasion of alien species that are spreading from home and commercial landscapes into agricultural areas and native forests.

Under section 150A-6.1, Hawaii Revised Statutes, the Department of Agriculture is required to maintain a list of restricted plants that require a permit for entry into the State. The Department of Agriculture is currently in the process of

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updating its restricted plant list pursuant to that section of law. Under chapter 152, Hawaii Revised Statutes, the Department of Agriculture is responsible for establishing criteria and procedures for the designation of plant species as noxious weeds, and is required to publish and make available a list of noxious weeds to interested persons. While these statutory provisions provide restrictions on the importation and control of plants designated restricted, restrictions are not provided for the sale of these restricted plants, which include noxious weeds.

Your Committees further find that to help prevent further introductions of invasive species to the State, additional restrictions are needed to prevent the sale of plants designated on the restricted plant or noxious weed list. Additionally, further clarification is necessary to recognize that designated restricted plants can be pests or can be hosts for pests such as insects or pathogens.

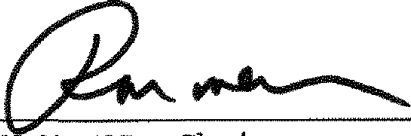
This measure has been amended by:

- (1) Clarifying the description of restricted plants;
- (2) Providing that the Department of Agriculture may regulate the sale of restricted plants by rule;
- (3) Prohibiting the import of noxious weeds except for research purposes;
- (4) Prohibiting the sale of noxious weeds within the State; and
- (5) Making technical, nonsubstantive amendments for purposes of clarity and style.

As affirmed by the records of votes of the members of your Committees on Agriculture and Hawaiian Affairs and Energy and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2523, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2523, S.D. 1, and be referred to the Committee on Judiciary and Labor.

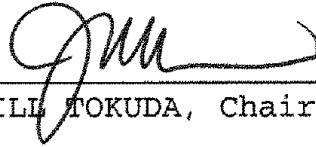


Respectfully submitted on  
behalf of the members of the  
Committees on Agriculture and  
Hawaiian Affairs and Energy and  
Environment,



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RON MENOR, Chair



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JILL TOKUDA, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii


**Record of Votes**  
**Committee on Agriculture and Hawaiian Affairs**  
**AHW**

Bill / Resolution No.:* <i>SB2523</i>	Committee Referral: <i>AHW/ENE</i>	Date: <i>12 Feb 2008</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
ENGLISH, J. Kalani (VC)	✓			
GABBARD, Mike	✓			
HEE, Clayton				✓
KOKUBUN, Russell S.				✓
SLOM, Sam	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>[Signature]</i>				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
Twenty-Fourth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Energy and Environment**  
**ENE**

Bill / Resolution No.:* <b>SB 2523</b>	Committee Referral: <b>AHW/ENE, JDL</b>	Date: <b>2/12/08</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
MENOR, Ron (C)	✓			
HOOSER, Gary L. (VC)	✓			
IHARA, Jr., Les	✓			
KOKUBUN, Russell S.				✓
TRIMBLE, Gordon	✓			
<b>TOTAL</b>	<b>4</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original             Yellow             Pink File with Committee Report             Clerk's Office             Drafting Agency				

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