

STAND. COM. REP. NO. 2186

Honolulu, Hawaii

FEB 12 2008

RE: S.B. No. 2955  
S.D. 1

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

Madam:

Your Committee on Agriculture and Hawaiian Affairs, to which was referred S.B. No. 2955 entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS,"

begs leave to report as follows:

The purpose of this measure is to expand the Department of Agriculture's inspection and quarantine authority to reach nonagricultural materials that may harbor pests and to authorize the Department of Agriculture to require shipping and transportation companies to provide advance notification of the identification of specific articles, whether agricultural or nonagricultural, that are transported for entry into the State or moved interisland within the State, and of the point of origin of the articles.

Testimony in support of this measure was submitted by the Department of Agriculture, Department of Land and Natural Resources, Hawaii Farm Bureau Federation, Maui County Farm Bureau, Hawaii Agricultural Research Center, The Nature Conservancy of Hawaii, and the Coordinating Group on Alien Pest Species.

Your Committee finds that in 2005, the Legislature passed Act 64, Session Laws of Hawaii 2005 (Act 64), relating to agricultural inspections. As to the problem of invasive species (pests), Act 64 declared that imported commodities that are considered high risk for pests should receive the level of attention necessary to protect Hawaii from pests, regardless of their point of origin or means of transportation. To better address the problem of

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invasive species, Act 64 authorized the Department of Agriculture to adopt rules that require shipping documents to identify specific articles. However, the current statutory language does not suffice, as the Department of Agriculture lacks rulemaking authority over articles not related to agriculture, such as furniture, building materials, or rocks, which, in the Department's recent experience, are also known to harbor pests. Further, the Department of Agriculture has found the point of origin of imported articles to be highly relevant to the risk of pest entry into the State and interisland movement within the State. In order to allocate appropriate inspection resources according to the risk level of the article being imported or moved interisland, the Department of Agriculture needs advance notice of the identification of specific articles or commodities being imported or moved interisland and their points of origin.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Agriculture and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2955, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2955, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Agriculture and  
Hawaiian Affairs,

  
\_\_\_\_\_  
JILL TOKUDA, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii

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

Bill / Resolution No.:* <b>SB 2955</b>	Committee Referral: <b>AHWNDL</b>	Date: <b>5 Feb 2008</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
TOKUDA, Jill N. (C)	✓			
ENGLISH, J. Kalani (VC)	✓			
GABBARD, Mike	✓			
HEE, Clayton	✓			
KOKUBUN, Russell S.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	6	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<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