

STAND. COM. REP. NO.

2466

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2523
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 2523, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to exempt certain types of bulk freight from fees for inspection, quarantine, and eradication of invasive species contained in the freight.

More specifically, this measure defines liquid bulk freight, cement bulk freight, coal bulk freight, and aggregate bulk freight, and exempts those types of bulk freight from the inspection, quarantine, and eradication service fee and charge.

Your Committee finds that the Agricultural Risk Protection Act of 2000, expressly preempts states from regulating goods for invasive species when in foreign commerce. Your Committee further finds that this measure makes state law consistent with federal law.

Your Committee received comments in support of this measure from AES Hawaii, Inc., Grace Pacific Corporation, Hawaiian Cement, and Waimanalo Agricultural Association. Alexander & Baldwin, Inc. and Matson Navigation Company, Inc., and The Nature Conservancy submitted comments in opposition to this measure. The Coordinating Group on Alien Pest Species submitted comments. Written comments received by the Committee may be reviewed on the Legislature's website.

SB2523 SD2 SSCR LRB 10-1714.doc



Your Committee amended this measure by:

- (1) Correcting the reference to the Agricultural Risk Protection Act of 2000;
- (2) Deleting proposed section 150A-5.3(c), Hawaii Revised Statutes, which is redundant; and
- (3) Making technical, nonsubstantive amendments for purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2523, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2523, S.D. 2.

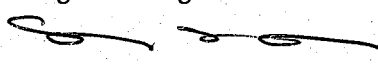
Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


DONNA MERCADO KIM, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2523 SDI	WTL, WAM	02/18/10		
<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
KIM, Donna Mercado (C)	✓			
TSUTSUI, Shan S. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
ENGLISH, J. Kalani	✓			
FUKUNAGA, Carol				/
GALUTERIA, Brickwood	✓			
HEE, Clayton	✓			
HOOSER, Gary L.	✓			
KIDANI, Michelle N.				/
KOKUBUN, Russell S.	✓			
TOKUDA, Jill N.				/
HEMMINGS, Fred				/
TOTAL	8	0	0	4
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes