



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2023**

ON THE FOLLOWING MEASURE:
S.B. NO. 1193, RELATING TO ALBIZIA.

BEFORE THE:
SENATE COMMITTEES ON ENERGY, ECONOMIC DEVELOPMENT, AND TOURISM
AND ON HIGHER EDUCATION AND ON AGRICULTURE AND ENVIRONMENT

DATE: Thursday, February 9, 2023 **TIME:** 1:04 p.m.

LOCATION: State Capitol, Room 229

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Elise A. Amemiya or Bryan C. Yee, Deputy Attorneys General

Chairs DeCoite, Kim, and Gabbard and Members of the Committees:

The Department of the Attorney General provides the following comments regarding this bill.

This bill would appropriate money and establish a grant program to assist persons who use albizia trees to create usable products or are developing new ways to use albizia trees to create usable products.

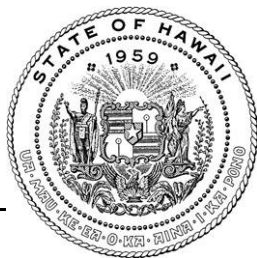
This bill does not appear to contain sufficient standards for grants of public money. Article VII, section 4, of the Constitution of the State of Hawaii provides, "[n]o grant of public money or property shall be made except pursuant to standards provided by law." Therefore, we recommend that this bill be amended to insert appropriate standards. Examples of existing statutes that provide standards for agencies to issue grants are part II of chapter 9 and sections 10-17, 210D-11, and 383-128, Hawaii Revised Statutes.

We have attached draft standards to this testimony as a sample to work from. These standards could be inserted on page 4, line 10 as a new subsection (c), with subsequent subsections appropriately re-alphabetized. Additionally, we are happy to work with you on developing more specific standards.

Thank you for the opportunity to present this testimony.

POSSIBLE STANDARDS FOR THE GRANTS IN THIS BILL

- (c) Applicants shall meet the following conditions and qualifications:
- (1) Any grant shall be used exclusively for the purposes of this program.
 - (2) The applicant shall indicate capability to properly use the grant for the purpose of the grant program.
[Specific applicant qualifications should be described for the different types of grants.]
 - (3) The applicant shall comply with all applicable federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, sexual orientation, disability, or any other characteristic protected under applicable federal or state law.
 - (4) The grant shall not be used for purposes of entertainment or perquisites.
 - (5) The applicant shall comply with other requirements as the department may prescribe.
 - (6) All activities undertaken with funds received shall comply with all applicable federal, state, and county statutes and ordinances.
 - (7) The applicant shall indemnify and save harmless the State of Hawaii and its officers, agents, and employees from and against any and all claims arising out of or resulting from activities carried out or projects undertaken with funds provided hereunder, and procure sufficient insurance to provide this indemnification if requested to do so by the department.
 - (8) The applicant shall agree to make available to the department all records the applicant may have relating to the grant, to allow state agencies to monitor the applicant's compliance with this section.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**
KA 'OIHANA HO'OMOHALA PĀ'OIHANA, 'IMI WAIWAI
A HO'OMĀKA'IKĀ'I

JOSH GREEN, M.D.
GOVERNOR

CHRIS J. SADAYASU
DIRECTOR

DANE K. WICKER
DEPUTY DIRECTOR

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Statement of
CHRIS J. SADAYASU
Director
Department of Business, Economic Development, and Tourism
before the
**SENATE COMMITTEES ON ENERGY, ECONOMIC DEVELOPMENT AND TOURISM;
HIGHER EDUCATION; AND AGRICULTURE AND ENVIRONMENT**

Thursday, February 9, 2023
1:04 PM
State Capitol, Conference Room #229

In consideration of
SB1193
RELATING TO ALBIZIA.

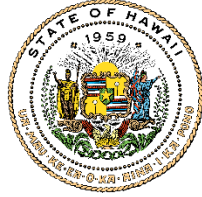
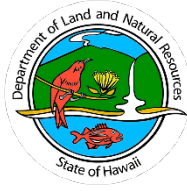
Chairs DeCoite, Kim and Gabbard; Vice Chairs Wakai, Kidani and Richards and members of the Committees. The Department of Business, Economic Development, and Tourism (DBEDT) offers the following comments on SB1193:

- DBEDT does not have the knowledge base to determine what would be possible economic uses and concomitant technical treatment required of Albizia.
- As such, DBEDT recommends that first a technical and economic feasibility study of potential uses of Albizia be conducted.
- Depending on the findings of the study, a grant program could be created. The development of a grant program at this time, however, is pre-mature.
- In collaboration with the University of Hawaii DBEDT would need a budget of \$125,000 to contract for a feasibility study, provided that its passage does not replace or adversely impact priorities indicated in our Executive Budget.

Thank you for the opportunity to testify.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

LAURA H.E. KAAKUA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committees on
ENERGY, ECONOMIC DEVELOPMENT & TOURISM
and
HIGHER EDUCATION
and
AGRICULTURE & ENVIRONMENT

Thursday, February 9, 2023
1:04 PM
State Capitol, Conference Room 229

In consideration of
SENATE BILL 1193
RELATING TO ALBIZIA

Senate Bill 1193 proposes to establish a grant program to assist persons who use *Albizia* trees to create usable products or are developing new ways to use *Albizia* trees to create usable products, and to study economically feasible ways for businesses to use *Albizia* trees to produce usable products, including housing, from invasive *Albizia*. **The Department of Land and Natural Resources (Department) supports this measure provided that its passage does not replace or adversely impact priorities indicated in the Executive Budget request.**

The State of Hawai'i spends considerable resources removing invasive species and planting native trees. *Albizia* trees are very invasive and fast-growing, reaching large sizes and heights with extremely brittle branches. *Albizia* trees are a target for removal programs across the state, resulting in large volumes of wood that could be used for beneficial purposes. The Department feels that grants to support individuals pursuing the production of products using *Albizia* wood could have positive benefits to the environment and the economy.

Mahalo for the opportunity to provide testimony in support of this measure.



HAWAI'I FOREST INDUSTRY ASSOCIATION (HFIA)

P. O. Box 66 ❖ 'O'ōkala, HI
96774 Phone: 808-933-9411
Email: hfia@hawaiiiforest.org
Website: www.hawaiiiforest.org

Date: 2/6/23

TO: EET Chair Decoite and Vice Chair Wakai, HRE Chair Kim and Vice Chair Kidani, AEN Chair Gabbard and Vice Chair Richards, and committee members

FROM: The Hawai'i Forest Industry Association (HFIA)

SUBJECT: In Support of SB1193 Relating to Albizia

Dear Chairs Decoite, Kim, Gabbard and Committee Members,

On behalf of the Directors and members of the Hawai'i Forest Industry Association (HFIA), we request your support for HB466, relating to the use of Albizia wood.

Since 1989, HFIA has worked to promote and grow healthy and productive forests across the State of Hawai'i. We have long seen the economic opportunity that Hawai'i's forests, filled with both native and non-native species, presents to our residents. Albizia is an invasive species that, if not controlled, can overtake entire Hawaiian forests, and is targeted by the state for biocontrol. Expanding the commercial use of Albizia is both an economic opportunity and an additional way to protect Hawai'i's healthy and productive forests.

HFIA member, and Hawai'i Wood Utilization Team member, Joseph Valenti and the Albizia Project have been utilizing Albizia wood to build multiple products such as window & door frames, Accessory Dwelling Units (ADU), surfboards, and other items since 2017. The Directors of the HFIA are confident that with incentives and funding, other woodworkers, craftsmen, and manufacturers throughout the state of Hawaii would also investigate additional uses of this invasive tree.

We see this grant program as an opportunity to begin to actualize the potential hidden within Hawai'i's forests. Funding the use of Albizia may also inspire an investigation into uses of other invasive woods as well, such as the highly problematic Strawberry guava, which HFIA's Healthy Productive Forest Initiative is actively working to address. For these reasons we hope that you will support SB1193.

Mahalo for your time and consideration,

Guy Cellier

Guy Cellier, Acting President

Hawaii Forest Industry Association

Established in 1989, HFIA's is a nonprofit organization founded by people committed to sustainable forest management. HFIA's mission is to promote healthy and productive forests and a sustainable forest industry through management, education, planning, information exchange, and advocacy. HFIA has over 130 members including woodworkers, landowners, sawyers, foundations, foresters, growers, educators, environmentalists, architects, millers, ranchers, and others interested in HFIA's mission and goals.

HFIA Board of Directors

Officers: Acting President/Vice-President Guy Cellier, Secretary Peter D. Simmons, Treasurer Wade Lee
Directors: Thomas Calhoun, Jeremy Campbell, Aaron Hammer, Nickolas Koch, Tai Lake, Michael Sowards, Irene Sprecher, Michael Tam, Jorma Winkler, Ron Wolfe, Aileen Yeh

LATE

SB-1193

Submitted on: 2/9/2023 11:32:47 AM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
Trinity	Testifying for Mauka Market	Support	Written Testimony Only

Comments:

Aloha,

My name is Trinity Asing, I am a co-founder of Mauka Market.

We envision a world where your purchase of a product helps to repair, restore and regenerate ecosystems and the communities nested within them.

Mauka Market enables people to purchase hand-crafted artisanal products that are sourced ethically to create economic drivers for ecosystem restoration.

We hand-select artisans who are committed to this promise. Mauka functions as a platform where products made from abundant local material, such as the invasive albizia tree, as well as ethically sourced materials, can be sold and purchased.

Mauka creates demand and economic drivers that incentivize the use of removed invasive material and supports sustained cultivation of native ecosystems in its place.

Mauka Market is creating a new paradigm where your purchasing power can restore natural resources.

We are a new species of business that exists to restore, repair and regenerate the natural world.

We support this bill as it will benefit a lot of small local businesses that we work closely with, The Albizia Project, Bizia Surf.

Mahalo for your time,

Trinity Asing

Mauka Market

808-864-3781

Hello@mauka.market

SB-1193

Submitted on: 2/6/2023 2:30:32 PM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

This is a great common sense bill. Please support it.

SB-1193

Submitted on: 2/7/2023 2:21:03 PM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

Support. Thank you.

LATE

SB-1193

Submitted on: 2/8/2023 9:12:13 PM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
Christopher	Individual	Support	Written Testimony Only

Comments:

I support!

LATE

SB-1193

Submitted on: 2/8/2023 9:20:21 PM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
William Lono	Individual	Support	Written Testimony Only

Comments:

I *support* bill **SB1193**. I've recently came across a youtube video of someone using this *permaculture* technique with **Albizia Trees**. Creating mulch from said trees for planting beds because it's rich in nitrogen.

LATE

SB-1193

Submitted on: 2/8/2023 9:30:40 PM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
mailani makainai	Individual	Support	Written Testimony Only

Comments:

This is such a great idea to find resources to make use and find opportunities in multi industries to make use of our albizia tree issue.

mahalo

I support this bill SB 1193

LATE

SB-1193

Submitted on: 2/8/2023 10:05:43 PM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
Ken LeVasseur	Individual	Support	Written Testimony Only

Comments:

Aloha, Mahalo for this chance to support SB1193. Albizia are a dangerous problem for our communities that requires a comprehensive approach to eliminate, or at least bring under control for the health and safety of our rural communities. The best approach that I can think of to address this issue is to turn this danger into a resource for economic development. This has worked in the past and what is being proposed can realize that paradigm in a similar manner. This investment of effort and money will help where Albizia could have hurt and caused extensive property damage as it has in the past. The University of Hawai'i Department of Architecture has supported the initial and successful work in this area. This Bill can see the concept through to fruition. Mahalo!

LATE

SB-1193

Submitted on: 2/8/2023 10:06:39 PM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
Joshua Kaina	Individual	Support	Written Testimony Only

Comments:

I support this bill. This a great way to control the invasive tree population and benefit the people of Hawaii. This is a no-brainer. Let's make this happen.

LATE

SB-1193

Submitted on: 2/8/2023 10:09:42 PM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
Danielle Surface	Individual	Support	Written Testimony Only

Comments:

I am testifying in support of this bill proposing grants to those creating locally made products while also helping to address the overgrowth of albizia trees. Practical solutions that target multiple problems are the way we will move forward and begin to see changes in long-standing problems.

Mahalo,

Danielle Surface

96818

LATE

SB-1193

Submitted on: 2/8/2023 10:20:18 PM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
Kiana Espinosa	Individual	Support	Written Testimony Only

Comments:

I support this bill, SB1193

LATE

SB-1193

Submitted on: 2/8/2023 10:57:44 PM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
Kimeona Kane	Individual	Support	Written Testimony Only

Comments:

Aloha kākou,

Please push this effort forward, we all know how destructive albizia is and will continue to be until we take appropriate actions. While there are some folks who are doing good work, so much more is needed to remove this terrible tree from our native ecosystem. Please put more funding into the removal and eradication. Use it as is needed until it is depleted then keep it at zero. This is a dangerous tree for our Hawai'i.

Mahalo nui,
Kimeona Kane

LATE

SB-1193

Submitted on: 2/9/2023 12:48:00 AM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
Marie freeman	Individual	Support	Written Testimony Only

Comments:

Albizia are invasive tree species, so it is our duty to slowly get rid of them and make use of these harmful trees and turn them into a profit somehow while replacing them with beneficial trees-like fruit trees or other native or endemic Hawaiian trees. As a native Hawaiian, or kanaka ma'oli, I support this bill in hopes to slowly return this 'aina to her natural state in which we know she should be. If that means removing all invasive plant species, then so be it.

LATE

SB-1193

Submitted on: 2/9/2023 5:53:21 AM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
Irene Honig McCarthy	Individual	Support	Written Testimony Only

Comments:

Hello,

I support this measure.

Mahalo,

Irene Honig-McCarthy

LATE

SB-1193

Submitted on: 2/9/2023 6:42:06 AM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
kamakani de dely	Individual	Support	Written Testimony Only

Comments:

I support

LATE

SB-1193

Submitted on: 2/9/2023 9:27:15 AM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
Nikki Kepoo	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in strong support to Bill SB1193. Following the pandemic and inflation of America, Hawaii has an opportunity to create a self sustaining community. It is the duty of our state to support and create feasible means for our people to not only survive, but to thrive.

I ask for your full support in passing this bill to help Hawaii be the forefront of all that is aloha 'āina.

Mahalo,

Nikki Kepoo

SB-1193

Submitted on: 2/6/2023 2:54:29 PM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
penny levin	Individual	Oppose	Written Testimony Only

Comments:

History repeats itself. Albizzia wood utilization programs have been done in Hawaii multiple times. A lot of money went into those programs and not much came out with the exception of an albizzia wood processing enterprise for lumber on Kauai that may or may not still be in business. Have we also not learned from the eucalyptus mill fiasco on Hawaii Island? SB1193 does not give any indication that the proposed albizzia program would be any different from those of the past. Should this be a Hawaii-owned businesses, residents and nonprofits only program? Will there be rules to mitigate the polluting aspects of wood milling/product development?

A better use of funding would be to put the money specifically towards felling and removal of the trees on each island to a baseyard where millers, wood workers, furniture makers, and other entrepreneurs would have free access to the felled logs. Then let ingenuity take its course. There are many small business and start up grant and loan programs to assist someone to grow their ideas from there.

Lastly, albizzia trees produce dense seedbeds that quickly resprout and fill in areas where large trees have been removed. One of the critical needs in any albizzia removal and reutilization program is rehabilitation to native species. I don't see it here. As written, SB1193 is an irresponsible use of public funding

LATE

SB-1193

Submitted on: 2/9/2023 10:38:08 AM

Testimony for EET on 2/9/2023 1:04:00 PM

Submitted By	Organization	Testifier Position	Testify
Janice Giles	Individual	Support	Written Testimony Only

Comments:

I live in Launani Valley and the albezas have become such a nuisance over the years. They grow so fast and then the limbs fall. People have died walking underneath them. Also, they suck the nutrients from the soil. We couldn't grow anything in our yard when there were albezas growing behind our house. Luckily we wrote the state and had 2 of them chopped down. Low and behold, within months we could grow trees in our yard, because the albezas weren't there sucking all of the nutrients. Let's cut them down and use the trees to make money and benefit our communities!