

Honolulu, Hawaii
MAR 22, 2024

RE: S.B. No. 3365
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 3365, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PLANT CARE COMPONENTS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the Department of Agriculture to:
 - (A) Certify treatments performed on wood chips, compost, and filter socks; and
 - (B) Prohibit the intrastate distribution of untreated plant care components that originated outside the State; and
- (2) Place certain restrictions on the distribution or transportation of plant care components without prior treatment certification from the Department of Agriculture.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; and Hawai'i Farmers Union United.



Your Committee finds that it is critically important to prevent destructive invasive species from entering the State. Your Committee further finds that wood chips, compost, and filter socks may be used to enrich the soil with nutrients and prevent erosion. However, when left untreated, wood chips, compost, and filter socks may be a source of invasive species. Your Committee notes that in particular, wood chips and compost are a known vector for the highly invasive coconut rhinoceros beetle. This measure ensures these materials are treated and certified before distribution, which will significantly mitigate the risk of pest infestation and promote the protection of the State's agricultural industry and the environment.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes the concerns raised in testimony by the Department of Agriculture that the phrase "entering the State" as used in this measure may be in conflict with existing law regulating the inspection of commodities. As written, this measure would require the Department of Agriculture to inspect and release regulated goods before all requirements, such as treatment for pests, have been met. The Department indicated that treatment for pests occurs either prior to entry into the State or, if a pest infestation is discovered upon inspection, while the shipment is in quarantine. Therefore your Committee respectfully requests your Committee on Finance, should it choose to deliberate on this measure, to consider inserting language clarifying that plant care components be either treated prior to entering the State or quarantined until treatment is completed.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3365, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 3365, S.D. 2, H.D. 1.



Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,

for 
MARK M. NAKASHIMA, Chair



