

STAND. COM. REP. NO.

85

Honolulu, Hawaii

FEB 04 , 2025

RE: H.B. No. 427  
H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committee on Agriculture & Food Systems, to which was referred H.B. No. 427 entitled:

"A BILL FOR AN ACT RELATING TO BIOSECURITY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Rename the Department of Agriculture to the "Department of Agriculture and Biosecurity";
- (2) Rename the Board of Agriculture to the "Board of Agriculture and Biosecurity";
- (3) Establish and appropriate funds for a Deputy Director of Biosecurity;
- (4) Change references to the plant and animal declaration form to the "biosecurity form";
- (5) Authorize and specify conditions under which the Department of Agriculture and Biosecurity may declare a biosecurity emergency, during which the Department and Governor may take certain actions to prevent the establishment or spread of pests and prohibited or restricted organisms;

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- (6) Broaden the objectives and general actions of the Biosecurity Program; and
- (7) Appropriate funds for positions for the Department of Agriculture and Biosecurity.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Invasive Species Council; one member of the Kaua'i County Council; Hawaii Cattlemen's Council; Hawai'i Farm Bureau; Democratic Party of Hawai'i; Kealia Ranch; Kupuna for the Moopuna; Larry Jefets Farms, LLC; Hawai'i Farmers Union United; Sierra Club of Hawai'i; Green Party of Hawai'i; and numerous individuals. Your Committee received testimony in opposition to this measure from numerous individuals. Your Committee received comments on this measure from the Coordinating Group on Alien Pest Species; O'ahu Invasive Species Committee; Matson Navigation Company, Inc.; Kaua'i Invasive Species Committee; and numerous individuals.

Your Committee finds that the impacts of invasive species to Hawaii have been severe, negative, and expensive and have included serious habitat degradation, extinction of native species, increased wildfire risk, increases in the cost of agriculture and livestock production, among other impacts. Strengthening the State's biosecurity response and resources, including broadening the conditions under which a biosecurity emergency may be declared, would facilitate more proactive and expedient mitigation of the risks posed by invasive species and their importation.

Your Committee notes that there were several organizations and individuals who submitted testimony indicating that they wanted more legislative oversight in the selection process of the Deputy Director of Biosecurity.

Your Committee has amended this measure by:

- (1) Moving language that establishes the Deputy Director of Biosecurity from chapter 150A, Hawaii Revised Statutes, to chapter 141, Hawaii Revised Statutes;
- (2) Clarifying that the Deputy Director of Biosecurity shall be appointed by the Governor, rather than the



Chairperson of the Board of Agriculture, but not be subject to the advice and consent of the Senate;

- (3) Changing the numbers for various positions, including for the Deputy Director of Biosecurity, to unspecified numbers;
- (4) Clarifying that for the duration of a declared biosecurity emergency, the Hawaii Invasive Species Council shall work with the Chairperson of the Board of Agriculture, rather than report directly to the Chairperson;
- (5) Clarifying the objectives of the Biosecurity Program related to the control and eradication of pests;
- (6) Clarifying provisions related to providing public education on reporting pests and prohibited or restricted organisms under the Biosecurity Program;
- (7) Clarifying provisions related to the Department of Agriculture's ability to subpoena certain documentation from importers for the purposes of the Biosecurity Program;
- (8) Deleting language that would have granted the Department of Agriculture certain quarantine powers;
- (9) Changing the appropriation and allocations to unspecified amounts;
- (10) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (11) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this measure, to consider establishing one full-time equivalent (1.0 FTE) permanent Deputy Director of Biosecurity position and \$12,735,015 for forty-four full-time equivalent (44.0 FTE) positions within the Department of Agriculture and Biosecurity, including \$11,930,523 for thirty-two full-time equivalent (32.0 FTE) positions under plant pest and



disease control (program ID AGR122) and \$804,492 for twelve full-time equivalent (12.0 FTE) positions under pesticides (program ID AGR846).

As affirmed by the record of votes of the members of your Committee on Agriculture & Food Systems that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 427, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 427, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Agriculture & Food  
Systems,

  
KIRSTIN KAHALOA, Chair



Record of Votes of the Committee on Agriculture & Food Systems

Bill/Resolution No.: <b>HB 427</b>	Committee Referral: <b>AGR, JHA, FIN</b>	Date: <b>1/29/2025</b>
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The committee is reconsidering its previous decision on the measure.

The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  
 Pass short form bill with HD to recommit for future public hearing (recommit)

AGR Members	Ayes	Ayes (WR)	Nays	Excused
1. KAHALOA, Kirstin (C)	X			
2. KUSCH, Matthias (VC)	X			
3. LOWEN, Nicole E.	X			
4. PERRUSO, Amy A.	X			
5. QUINLAN, Sean	X			
6. WARD, Gene				X
<b>TOTAL (6)</b>	5	0	0	1

The recommendation is:  Adopted  Not Adopted  
 If joint referral, \_\_\_\_\_ committee acronym(s) \_\_\_\_\_ did not support recommendation.

Vice Chair's or designee's signature: \_\_\_\_\_