

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEAN M. MATSUKAWA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE
KA 'OIHANA MAHI'AI
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TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEES ON COMMERCE AND CONSUMER
PROTECTION AND AGRICULTURE AND ENVIRONMENT

WEDNESDAY, JANUARY 29, 2025
9:30 AM
CONFERENCE ROOM 229 & VIDEOCONFERENCE

SENATE BILL NO. 252
RELATING TO INVASIVE SPECIES

Chairs Keohokalole and Gabbard, Vice Chairs Fukunaga and Richards, and Members of the Committees:

Thank you for the opportunity to provide testimony on Senate Bill No. 252 relating to invasive species. The bill seeks to clarify that the importation of any item or material infested or infected with an insect or other animal, disease, or other pest is prohibited; authorize the Department of Agriculture to inspect any item imported or moved into the State from another part of the continental United States or between the Hawaiian Islands; prohibit the sale of merchandise that a seller knows is infested or infected with a pest; authorize the Department of Agriculture to compel the quarantine, treatment, or destruction of certain materials; and clarify penalties for violations. The Department supports the intent of this bill and offers suggested changes and comments.

Regarding the inclusion of the new section (a) to HRS 150A, the Department suggests changing some of the language to ensure that the Department has the ability to manage importation in a method other than a permit or compliance agreement. Suggested language is proposed below:



"§150A-5 Conditions of importation. (a) The importation of any material that is infested or infected with an insect or other animal, disease, or pest, or that is itself a pest, is prohibited unless [~~imported under and~~] appropriate authorization is obtained from the department prior to importation [~~permit or compliance agreement~~].

The Department appreciates the intent of the changes to HRS 150A-5(5), to enable the inspection of commodities that are not currently subject to the list of commodities that require inspection and offers comments. The Department notes the ability to conduct the administrative inspections enabled by this bill also requires significant financial investments such as:

- Significant increases in manpower including inspectors, administrative support and supervisory staff, with necessary personnel increases likely being orders of magnitude above current staffing levels, to effectively implement these inspections;
- Consistent funding to obtain the commensurate physical resources (office space, vehicles, equipment, supplies, etc.) needed to conduct the inspections;
- Requires the development of departmental policies to create thresholds on when/where/how these inspections would occur to ensure that they are not being done arbitrarily, with subsequent re-training of all staff statewide; and
- Significant outreach to all importers statewide, interisland shippers, and interisland passengers, the vast majority of which are not currently subject to inspections.

The Department suggests amending the removal of the newly added references to “item, material, or container” in HRS 150A(a)(9) located on lines 4 and 6 of page 17 of the bill and replacing with “item or material”. The Department believes that this clarifies what is being inspected and passed and creates consistency throughout HRS

150A-5. Should a container with infested items be held, the container itself would also be subjected to the appropriate treatment if necessary.

The Department agrees with the intent of the changes to HRS 150A-8 however, the Department believes that the majority of the changes made to this section are not necessary because they are already included in the recently effectuated chapter 4-72, Hawaii Administrative Rules (HAR).

The Department is appreciative of the clarifications to HRS 150A-14, but notes that as currently drafted, if during the course of an administrative inspection, should a criminal violation under the “knowingly” standard be discovered, the Department would be unable to enforce these provisions.

The Department suggests amending the fines in HRS 150A-14(b)(1) be reverted to the amounts that were previously found prior to the changes made to this section by Act 128, SLH 2010. The suggested changes are listed below:

(1) Section 150A-5 shall be fined not less than \$~~[5]~~100 and not more than \$~~[5]~~10,000. For a second violation committed within five years of a prior violation, the person may be fined not less than \$~~[2]~~500 and not more than \$~~[1]~~25,000; or”

The Department believes that a similar provision for repeat violations be included in HRS 150A-14(b)(2). The Department also suggests including references to unlisted animals for clarity in penalties. Proposed language is below, and the Department defers to the Legislature for determination of appropriate fine thresholds.

“(2) Section 150A-6(3) or 150A-6(4), or owns or transports, possesses, harbors, transfers, or causes the importation of any snake or other prohibited animal seized under section

150A-7(b), or whose violation involves an animal that is prohibited, ~~[or]~~ a plant that is restricted, or an animal~~[or]~~ or microorganism that is restricted or unlisted, without a permit, shall be fined not less than \$1,000, but not more than \$20,000. For a second violation committed within five years of a prior violation, the person may be fined not less than \$ _____ and not more than \$ _____."

The Department suggests inclusion of the term "unlisted" throughout HRS 150A-14 for clarity that there are penalties for violations involving species that may not be listed in the respective sections of the HAR. Each suggested change is listed below:

- Page 19, line 12: " . . . "prohibited, ~~[or]~~ a plant that is restricted, or an animal~~[or]~~ or microorganism that is . . ."
- Page 19, line 13: " . . . restricted or unlisted, without a permit, shall be . . ."
- Page 21, line 8: " . . . is restricted or unlisted, without a permit, shall be guilty of a . . ."
- Page 21, line 14: ". . . microorganism that is restricted or unlisted, without a permit, . . ."
- Page 23, line 7: ". . . surrenders any prohibited animal ~~[or]~~, any restricted plant, . . ."
- Page 23, line 8: " . . . or any unlisted or restricted animal~~[or]~~ or microorganism~~,~~ without a permit issued by the . . ."

On page 23, line 2, the new inclusion of "the" should be changed to "any". The Department believes that this clarifies the Department's discretion to be able to deal with portions of shipments differently based on the circumstances.

Thank you for the opportunity to testify on this measure.

JOSH GREEN
GOVERNOR OF HAWAII

SYLVIA LUKE
LIEUTENANT GOVERNOR



HAWAII INVASIVE SPECIES COUNCIL

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DEXTER KISHIDA
DEPARTMENT OF TRANSPORTATION

Senate Committees on COMMERCE & CONSUMER PROTECTION AGRICULTURE & ENVIRONMENT

Wednesday, January 29, 2025

9:30 AM

State Capitol, Conference Room 229 and Via Videoconference

Chelsea Arnott, HISC Coordinator on behalf of
HISC Co-Chair Sharon Hurd and Co-Chair Dawn N.S. Chang

In consideration of SENATE BILL 252 RELATING TO INVASIVE SPECIES

Senate Bill 252 expands Hawaii Department of Agriculture's regulatory authority to inspect any item imported or moved into the State from another part of the continental United States or between the Hawaiian Islands, prohibits the sale of merchandise that a seller knows is infested or infected with a pest, authorizes the Department of Agriculture to compel the quarantine, treatment, or destruction of certain materials, clarifies penalties for violations, and clarifies that the importation of any item or material infested or infected with an insect or other animal, disease, or other pest is prohibited. **The Hawaii Invasive Species Council (Council) supports this measure.**

One of the largest gaps in Hawaii's biosecurity system is the lack of authority for any agency to inspect non-agricultural commodities coming from domestic ports. This was identified as one of the highest priority actions in the 2017-2027 Hawaii Interagency Biosecurity Plan, which identifies 147 actions to be implemented across a 10-year timeline to improve biosecurity.

Currently Plant Quarantine inspectors do not have the authority to inspect and quarantine non-agricultural commodities, unless they have good cause to believe that there is a pest or other non-compliance in a non-agricultural container. This still leaves a large gap in the ability to assess risk and focus inspections on high-risk non-agricultural commodities which can pose the same risks as agricultural commodities. Take Red Imported Fire Ant (RIFA) for example, which is not known to occur in Hawaii but is widely established in the Southeastern United States and quickly moving west. Annual losses in the United States from RIFA are upwards of \$6.7 billion. This pest reproduces quickly and can easily move. They are extremely aggressive killing off other ants and insects in the areas and inflict painful stings on humans. RIFA more than likely would not be intercepted on an agricultural commodity if found in Hawaii, but more likely vehicles, construction equipment, and packaging materials.

The passing of this measure and implementation would require a massive increase of force under the HDOA's Plant Quarantine Branch. The Biosecurity Plan recognized that expanding the authority to inspect non-agricultural commodities needed to include actions to increase capacity, operations, facilities, and the ability to assess risk to identify and prioritize the highest risk commodities and pathways.

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



The Senate
Committee on Commerce and Consumer Protection
Committee on Agriculture and Environment
Wednesday, January 29, 2025
9:30 am Conference Room 229
State Capitol

Testimony in Support of SB 252

Aloha Chairs Keohokalole and Gabbard, Vice Chairs Fukunaga and Richards, and Members of the Committees,

The Coordinating Group on Alien Pest Species (CGAPS) is **in strong support of SB 252 *Relating to Invasive Species***. This bill provides the Hawaii Department of Agriculture (HDOA) with new authorities and tools that could be used within HDOA's existing capacity to prevent the introduction and spread of invasive species in Hawaii. We highlight below the language in the bill that, if enacted, will help secure Hawaii's biosecurity:

Pests cannot be imported on any material without proper approvals. The amendment on page 3, lines 15 through 19, provides that pests and any material infested with a pest is prohibited from being imported into Hawaii without HDOA approval. This amendment codifies and provides a statutory basis for HDOA's current practice of refusing or treating items found to be infested with pests and clarifies that this prohibition extends to any item, not just plants, animals, and agricultural commodities. This amendment does not require HDOA to change its current inspection practices, but it is scalable depending on the resources available to HDOA, providing authority for HDOA to address the highest-risk materials and pathways.

For example, this amendment could help HDOA prevent spotted lanternfly from entering Hawaii. Spotted lanternfly is a serious agricultural and forest pest. In addition to directly feeding on a wide range of host plants, it excretes a sticky, sugary fluid that causes sooty mold, further damaging crops and native plants. Originally from Asia, it has established populations in 18 U.S. states, and Federal and state efforts are underway to prevent further spread. The United States Department of Agriculture (USDA) describes it as a "hitchhiking pest" that can spread by eggs laid on hard surfaces, including toys, outdoor furniture, and vehicles. (<https://www.aphis.usda.gov/plant-pests-diseases/slf>) The proposed amendment clarifies that the importation of any item found to carry spotted lanternfly eggs is prohibited. This is one example of many pests that move on non-agricultural items.

Authority to administratively inspect all imports. The amendment beginning on page 9, line 9 through page 12, line 7, expands HDOA’s inspection authority so that it corresponds to the language of the USDA program that authorizes inspection of passengers and material leaving Hawaii to protect other parts of the United States¹ but does not provide similar inspections to protect Hawaii from mainland pests. This provision will authorize HDOA to carry out that function for Hawaii. For instance, it clearly provides HDOA the authority to inspect high-risk material such as outdoor furniture imported from a state that is heavily infested with spotted lanternfly. Again, this amendment does not require HDOA to make any changes to its current inspections but provides HDOA the authority to address high-risk material and pathways, as its resources permit²

As part of this enhanced inspection authority, the amendment removes the current “good cause” standard as the inspection standard. “Good cause” is an unusual inspection standard and is usually a burden placed on a litigant.³

Removing the “good cause” standard and clarifying that HDOA’s inspection authority is limited to “administrative” inspections and violators may receive only a civil fine are safeguards to protect the public and avoid constitutional challenges requiring a showing of probable cause. As drafted, HDOA’s inspection would be permissible under the Fourth and Fourteenth Amendments to the United States Constitution and the Constitution of the State of Hawaii as they are “part of a general regulatory scheme, done in furtherance of administrative goals rather than to security evidence of a crime.”⁴ Here, the administrative goal is to prevent the introduction or spread of pests and violators are not subject to criminal penalties.

Prohibition on sale of pests and pest-infested items. The amendments made by section 5, beginning on page 18, line 6, through page 19, line 5, set out a prohibition on selling plants and any other material that is infested with a pest or that is itself a pest. This amendment will

¹ See section 10811 of the Farm Security and Rural Investment Act of 2002 ([7 U.S.C. 8307](#) note).

² Hawaii would not be alone in adopting a State authority to inspect all incoming material. For example, California maintains plant quarantine inspection stations to inspect “all conveyances which might carry plants or other things which are, or are liable to be, infested or infected with any pest” along roads in California and a “program for the inspection of conveyances entering California through airport and maritime facilities to prevent the introduction into, or the spread within, this state of pests. (Cal. Food & Agric. Code §§ 5341 and 5350) See also https://www.cdfa.ca.gov/plant/PE/ExteriorExclusion/borders_faq.html

³ As the Hawaii Supreme Court noted in Eckard Brandes, Inc. v. Dep’t of Lab. & Indus. Rels., 146 Haw. 354, 363 (2020), as corrected (Apr. 27, 2020): “Black’s Law Dictionary now defines ‘good cause’ as ‘[a] legally sufficient reason. Good cause is often the burden placed on a litigant (usu. by court rule or order) to show why a request should be granted or an action excused. Accordingly, we clarify that ‘good cause’ is ‘a sufficient reason, depending upon the circumstances of the individual case, and that a finding of its existence lies largely in the discretion of the court.’” (internal citations omitted)

⁴ See United States v. Bulacan, 156 F.3d 963, 967 (9th Cir. 1998), as amended (Nov. 16, 1998). See also State v. Hanson, 97 Haw. 71, 76-77 (2001), as amended (Nov. 7, 2001).

protect consumers who unknowingly purchase merchandise that is infested with a pest and bring it back to their homes and communities. This prohibition is different than the authority set out in section 4-72-5, Hawaii Administrative Rules (HAR), in the recently adopted amendments to chapter 4-72 HAR. That authority allows the Chief of the Plant Quarantine Branch to stop the sale and/or quarantine pest-infested merchandise on a case-by-case basis. SB252 prohibits the sale of pest-infested merchandise in general. It lets nurseries and other retailers know that they are responsible for not selling pest-infested items. At this time, there is no statute that places that responsibility on the sellers.

These amendments also clearly state that the State of Hawaii is not responsible for the costs of quarantine or treatment of pest-infested merchandise within the State, mirroring the language used for items imported into the State that are found to be pest-infested in section 150A-5(8), Hawaii Revised Statutes (HRS).

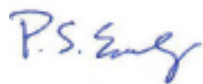
Removal of strict liability criminal penalties and establishment of civil penalties. Section 6, beginning on page 19, line 6, amends the system of penalties for invasive species-related violations to remove criminal penalties for violations discovered by an inspection authorized by section 150A-5 HRS and for inadvertent acts where the person did not know an invasive species or pest was involved. We hope these amendments will increase enforcement by HDOA and provide fair and reasonable guidelines for penalties. Nobody wants to slap an individual or a business with a criminal charge and a massive fine for a violation where there was no knowledge that a violation was occurring. In the past, HDOA was able to issue civil citations for violations and HDOA staff has stated this was routinely done. Once all the penalties were made criminal and the fines were increased, HDOA stopped issuing fines and the associated criminal penalties. We believe authorizing HDOA to issue civil fines for strict liability offenses and violations discovered by administrative inspections will actually increase enforcement by HDOA and provide a more fair framework for assessing penalties for invasive species-related offenses.

Mahalo for the opportunity to support SB252 and for your consideration of our testimony.

Aloha,



Christy Martin
CGAPS Program Manager



Stephanie Easley
CGAPS Legal Fellow



Officers

Kaipo Kekona
State President

Anabella Bruch
Vice-President

Maureen Datta
Secretary

Reba Lopez
Treasurer

Aloha Chair Gabbard, Vice Chair Richards, and Members of the Senate Agriculture and Environment Committee,

Chapter Presidents

Clarence Baber
Kohala, Hawai'i

Tony Vera
East Hawai'i

Puna, Hawai'i

Andrea Drayer
Ka'u, Hawai'i

Maureen Datta
Kona, Hawai'i

The Hawaii Farmers Union is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFUU supports SB252.**

Invasive species pose a significant threat to Hawaii's agricultural economy, ecosystems, and the livelihoods of local producers. SB252 addresses these concerns by implementing critical measures to prevent the introduction and spread of pests and diseases. By empowering the Department of Agriculture to inspect all imported items and materials, the bill strengthens Hawaii's first line of defense against invasive species. Ensuring that all goods entering the state are free from infestations or infections not only protects our environment and agricultural systems but also preserves the unique biodiversity that is integral to the identity and culture of Hawaii.

Fawn Helekahi-Burns
Hāna, Maui

Mason Scharer
Haleakalā, Maui

Kaiea Medeiros
Mauna Kahālāwai,
Maui

The ability to quarantine, treat, or destroy materials identified as threats is crucial for maintaining the health and sustainability of local farms, which are often small and highly vulnerable to disruption from invasive species. By clearly outlining penalties for violations, the bill reinforces the importance of compliance and accountability, thereby encouraging best practices in biosecurity.

Mahalo for the opportunity to testify.

Kaipo Kekona
Lahaina, Maui

Kaipo Kekona, President HFUU/HFUF

Kilia Avelino-Purdy
Moloka'i

Negus Manna
Lāna'i

India Clark
North Shore, O'ahu

Christian Zuckerman
Wai'anae, O'ahu

Ted Radovich
Waimānalo, O'ahu

Vincent Kimura
Honolulu, O'ahu

Natalie Urminska
Kaua'i



The Senate
Committee on Commerce and Consumer Protection
Committee on Agriculture and Environment
Wednesday, January 29, 2025
9:30 am Conference Room 229
State Capitol

SUBJECT: Testimony in Strong Support of SB252 “Relating to Invasive Species”

Aloha Chairs Keohokalole and Gabbard, Vice Chairs Fukunaga and Richards, and Members of the Committees,

I am writing in strong support of SB252 “Relating to Invasive Species” on behalf of the O‘ahu Invasive Species Committee (OISC).

Providing the Department of Agriculture (DOA) with new tools that can be implemented through existing DOA capacity will strengthen the prevention and stop the spread of high-priority invasive species. The proposed authorities will bolster the State’s biosecurity efforts by preventing the importation of pests on any material without appropriate approvals, providing the ability for DOA to inspect all imports in alignment with the United States Department of Agriculture (USDA)’s current practices, preventing the sale of pests and pest-infested items, and reducing penalties for invasive-species related violations from the criminal to the civil level of penalties. These new tools will be instrumental in expanding invasive species prevention and response, thereby limiting the threats posed by these dangerous species.

OISC is grateful for the continued support from all State departments, the legislature, and the members of this Committee. Thank you for your time and consideration on this matter.

Sincerely,

Nate Dube, OISC Manager



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

January 29, 2025

9:30 AM

Conference Room 229

In **SUPPORT** of **SB252**: RELATING TO INVASIVE SPECIES

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and Members of the Committees,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **STRONGLY SUPPORTS SB252**, which establishes critically needed mechanisms to protect our environmental, cultural, agricultural, recreational, and economic interests from the devastating impacts of invasive species.

Hawai'i's history has given us a host of lessons regarding the wide-ranging and potentially irreversible damage that invasive species can inflict on our islands and ways of life. Invasive plants and wildlife have overtaken entire watersheds, impacting not just native habitat but also reducing aquifer recharge, increasing our vulnerability to floods and wildfires, and smothering our nearshore reefs and waters with runoff. Parasites and other pests have impacted local food production and increased the use of toxic pesticides on farms and in home gardens, risking both public health as well as threatening stream and nearshore species critical to our aquatic ecosystems. Invasive animals have also extirpated native species, continue to threaten others with outright extinction, and continue to undermine public health by acting as vectors for zoonotic diseases.

Unfortunately, the ongoing spread of pests like the little fire ant and coconut rhinoceros beetle is now providing us with yet another lesson on the dire need to enhance our biosecurity strategies, and to ensure that key agencies like the Department of Agriculture are able to fulfill their critical role in the all-hands-on-deck fight against invasive species.

This bill offers a critical opportunity to address major gaps in our biosecurity framework that have left our islands increasingly vulnerable to invasive pests. The common-sense prohibitions on the import or intrastate sale, barter, or donation of items infested with invasive species would make such activities illegal without rulemaking actions or orders by the Department of Agriculture - processes that have taken years if not decades in the past.



SIERRA CLUB OF HAWAI'I

This bill's clarification of the Department's inspection and quarantine authorities would also physically and legally facilitate its ability to enforce these prohibitions – just as many, many other jurisdictions have done, including the federal government, to safeguard their interests from the wide-ranging impacts of invasive species.

Accordingly, the Sierra Club of Hawai'i respectfully urges the Committees to **PASS** SB252. Mahalo nui for the opportunity to testify.



The Senate
Committee on Commerce and Consumer Protection
Committee on Agriculture and Environment
Wednesday, January 29, 2025
9:30 am Conference Room 229
State Capitol

Testimony in Support of SB 252

Aloha Chairs Keohokalole and Gabbard, Vice Chairs Fukunaga and Richards, and Members of the Committees,

The Coordinating Group on Alien Pest Species (CGAPS) is **in strong support of SB 252 *Relating to Invasive Species***. This bill provides the Hawaii Department of Agriculture (HDOA) with new authorities and tools that could be used within HDOA's existing capacity to prevent the introduction and spread of invasive species in Hawaii. We highlight below the language in the bill that, if enacted, will help secure Hawaii's biosecurity:

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For example, this amendment could help HDOA prevent spotted lanternfly from entering Hawaii. Spotted lanternfly is a serious agricultural and forest pest. In addition to directly feeding on a wide range of host plants, it excretes a sticky, sugary fluid that causes sooty mold, further damaging crops and native plants. Originally from Asia, it has established populations in 18 U.S. states, and Federal and state efforts are underway to prevent further spread. The United States Department of Agriculture (USDA) describes it as a "hitchhiking pest" that can spread by eggs laid on hard surfaces, including toys, outdoor furniture, and vehicles.

(<https://www.aphis.usda.gov/plant-pests-diseases/slf>) The proposed amendment clarifies that the importation of any item found to carry spotted lanternfly eggs is prohibited. This is one example of many pests that move on non-agricultural items.

Authority to administratively inspect all imports. The amendment beginning on page 9, line 9 through page 12, line 7, expands HDOA’s inspection authority so that it corresponds to the language of the USDA program that authorizes inspection of passengers and material leaving Hawaii to protect other parts of the United States¹ but does not provide similar inspections to protect Hawaii from mainland pests. This provision will authorize HDOA to carry out that function for Hawaii. For instance, it clearly provides HDOA the authority to inspect high-risk material such as outdoor furniture imported from a state that is heavily infested with spotted lanternfly. Again, this amendment does not require HDOA to make any changes to its current inspections but provides HDOA the authority to address high-risk material and pathways, as its resources permit²

As part of this enhanced inspection authority, the amendment removes the current “good cause” standard as the inspection standard. “Good cause” is an unusual inspection standard and is usually a burden placed on a litigant.³

Removing the “good cause” standard and clarifying that HDOA’s inspection authority is limited to “administrative” inspections and violators may receive only a civil fine are safeguards to protect the public and avoid constitutional challenges requiring a showing of probable cause. As drafted, HDOA’s inspection would be permissible under the Fourth and Fourteenth Amendments to the United States Constitution and the Constitution of the State of Hawaii as they are “part of a general regulatory scheme, done in furtherance of administrative goals rather than to security evidence of a crime.”⁴ Here, the administrative goal is to prevent the introduction or spread of pests and violators are not subject to criminal penalties.

Prohibition on sale of pests and pest-infested items. The amendments made by section 5, beginning on page 18, line 6, through page 19, line 5, set out a prohibition on selling plants and any other material that is infested with a pest or that is itself a pest. This amendment will

¹ See section 10811 of the Farm Security and Rural Investment Act of 2002 ([7 U.S.C. 8307](#) note).

² Hawaii would not be alone in adopting a State authority to inspect all incoming material. For example, California maintains plant quarantine inspection stations to inspect “all conveyances which might carry plants or other things which are, or are liable to be, infested or infected with any pest” along roads in California and a “program for the inspection of conveyances entering California through airport and maritime facilities to prevent the introduction into, or the spread within, this state of pests. (Cal. Food & Agric. Code §§ 5341 and 5350) See also https://www.cdfa.ca.gov/plant/PE/ExteriorExclusion/borders_faq.html

³ As the Hawaii Supreme Court noted in Eckard Brandes, Inc. v. Dep’t of Lab. & Indus. Rels., 146 Haw. 354, 363 (2020), as corrected (Apr. 27, 2020): “Black’s Law Dictionary now defines ‘good cause’ as ‘[a] legally sufficient reason. Good cause is often the burden placed on a litigant (usu. by court rule or order) to show why a request should be granted or an action excused. Accordingly, we clarify that ‘good cause’ is ‘a sufficient reason, depending upon the circumstances of the individual case, and that a finding of its existence lies largely in the discretion of the court.’” (internal citations omitted)

⁴ See United States v. Bulacan, 156 F.3d 963, 967 (9th Cir. 1998), as amended (Nov. 16, 1998). See also State v. Hanson, 97 Haw. 71, 76-77 (2001), as amended (Nov. 7, 2001).

protect consumers who unknowingly purchase merchandise that is infested with a pest and bring it back to their homes and communities. This prohibition is different than the authority set out in section 4-72-5, Hawaii Administrative Rules (HAR), in the recently adopted amendments to chapter 4-72 HAR. That authority allows the Chief of the Plant Quarantine Branch to stop the sale and/or quarantine pest-infested merchandise on a case-by-case basis. SB252 prohibits the sale of pest-infested merchandise in general. It lets nurseries and other retailers know that they are responsible for not selling pest-infested items. At this time, there is no statute that places that responsibility on the sellers.

These amendments also clearly state that the State of Hawaii is not responsible for the costs of quarantine or treatment of pest-infested merchandise within the State, mirroring the language used for items imported into the State that are found to be pest-infested in section 150A-5(8), Hawaii Revised Statutes (HRS).

Removal of strict liability criminal penalties and establishment of civil penalties. Section 6, beginning on page 19, line 6, amends the system of penalties for invasive species-related violations to remove criminal penalties for violations discovered by an inspection authorized by section 150A-5 HRS and for inadvertent acts where the person did not know an invasive species or pest was involved. We hope these amendments will increase enforcement by HDOA and provide fair and reasonable guidelines for penalties. Nobody wants to slap an individual or a business with a criminal charge and a massive fine for a violation where there was no knowledge that a violation was occurring. In the past, HDOA was able to issue civil citations for violations and HDOA staff has stated this was routinely done. Once all the penalties were made criminal and the fines were increased, HDOA stopped issuing fines and the associated criminal penalties. We believe authorizing HDOA to issue civil fines for strict liability offenses and violations discovered by administrative inspections will actually increase enforcement by HDOA and provide a more fair framework for assessing penalties for invasive species-related offenses.

Mahalo for the opportunity to support SB252 and for your consideration of our testimony.

Aloha,



Christy Martin
CGAPS Program Manager



Stephanie Easley
CGAPS Legal Fellow

Testimony of Matson Navigation Company, Inc.
Comments on SB252
Before the Committees on Agriculture and Environment and
Commerce and Consumer Protection
January 29, 2025

Dear Chair Gabbard, Chair Keohokalole, Vice Chair Richards, Vice Chair Fukunaga, and Members of the Committees:

Matson Navigation Company, Inc. (Matson) appreciates the opportunity to provide comments on SB252 and request amendments.

As an island state, Hawaii is very dependent upon our commercial harbors to ensure the continued and unimpeded flow of cargo in and out of our State. It is estimated that over 90 percent Hawaii's imported goods pass through our commercial harbors, including consumer goods, motor vehicles, construction materials, and fuel. Given the critical role of our commercial harbors, it is imperative that the State support safe, dependable, and efficient cargo transportation and handling to service our residents and businesses. Accordingly, we respectfully request that your Committees amend page 11, line 10 through page 12, line 7 to require that any inspections occurring at a pier shall be done in a manner that minimizes adverse impacts to the flow of commerce.

We also respectfully request that conforming amendments be made to page 19, line 8, and page 20, line 10 to include "knowingly" as the state of mind requirement for committing the offenses. The language on the following page includes this requirement and we believe this was left out inadvertently. Page 19, line 8 would be amended to read: "§150A-14 Penalty. (a) Any person who **knowingly** violates any[...]" Similarly, page 20, lines 10-11 would be amended to read: "(2) Section 150A-6(3) or 150A-6(4), or **knowingly** owns, transports, possesses, harbors, transfers or causes the[...]" These amendments would ensure clarity and consistency.

Thank you for considering our comments.

SB-252

Submitted on: 1/27/2025 8:08:53 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
John & Rita Shockley	Testifying for Free Access Coalition	Support	Written Testimony Only

Comments:

Aloha!

We cannot afford to back-burner the invasive species catastrophe that is slowly destroyng our island's ecological security.

The Free Access Coalition supports SB252 and we hope it can help save Hawaii's precious environment.

Mahalo for your time.

SB-252

Submitted on: 1/28/2025 6:18:37 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan B Roberts Emery	Testifying for Green Party of Hawai'i	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

the Green Party of Hawai'i **strongly supports SB252**. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai'i's environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department's ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

Time to protect our lands and communities, We urge a Yes Vote on SB252!

Green Party of Hawai'i

Susan RobertsEmery

Co Chair GPH

Paauilo

SB-252

Submitted on: 1/28/2025 7:43:17 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
HCN Warrington	Testifying for Kupuna for the Moopuna	Support	Written Testimony Only

Comments:

In **SUPPORT** of **SB252**. Mahalo.

SB-252

Submitted on: 1/24/2025 11:40:03 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Uilani Naipo	Individual	Support	Written Testimony Only

Comments:

Support.

- U'ilani Naipo

SB-252

Submitted on: 1/25/2025 4:56:44 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kevin Faccenda	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure to expand the power to HDOA to inspect and restrict importation of material containing invasive species. Research has shown that the best way to manage invasive species is to prevent their establishment in the first place (an ounce of prevention is worth a pound of cure) and this legislation will do exactly that. Invasive species such as the little fire ant are an existential threat to agriculture and hawaiian native ecosystems and measures such as this which can prevent their spread are essential for protecting our islands.

Thank you,

Kevin Faccenda, PhD.

SB-252

Submitted on: 1/27/2025 12:09:19 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Glenn Choy	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill

SB-252

Submitted on: 1/27/2025 12:10:55 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Joan Heartfield PhD	Individual	Support	Written Testimony Only

Comments:

My name is Dr Joan Heartfield and I **strongly support SB252**. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai'i's environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department's ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

SB-252

Submitted on: 1/27/2025 12:17:10 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Peter Wilson	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Peter Wilson and I **strongly support SB252**. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai‘i’s environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department’s ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

Sincerely,
Peter Wilson

SB-252

Submitted on: 1/27/2025 12:27:35 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaua Kama	Individual	Support	Written Testimony Only

Comments:

January 27th 2025

Dear Chair, Vice Chair, and Members of the Committee,

I am writing in strong support of SB252, which aims to protect Hawai‘i’s unique ecosystems, agriculture, and economy by strengthening the regulations surrounding the importation and movement of pest-infested or infected materials. This bill is critical to ensuring the long-term health of our islands and their natural resources.

Hawai‘i’s fragile ecosystems are particularly vulnerable to invasive species and agricultural pests. Past instances, such as the introduction of the coconut rhinoceros beetle, little fire ants, and rapid ‘ōhi‘a death, demonstrate the devastating impacts these threats can have on our environment, local agriculture, and way of life. SB252 provides much-needed clarity and authority to the Department of Agriculture (DOA) to address these challenges effectively.

Specifically, this bill addresses the following key areas:

1. **Clarifying Importation Prohibitions:** By explicitly prohibiting the importation of items or materials known to be infested or infected with pests, this measure helps close loopholes that could allow harmful organisms to enter our state.

2. **Enhanced Inspection Authority:** Granting the DOA the ability to inspect items coming from the continental United States and between islands ensures early detection and intervention, reducing the risk of pests spreading.

3. **Prohibition on Sale of Infested Merchandise:** Protecting consumers from unknowingly purchasing infested goods helps prevent the accidental spread of pests and promotes greater accountability among sellers.

4. Quarantine, Treatment, and Destruction Authority: Allowing the DOA to act decisively when infested materials are detected ensures swift containment and mitigation of potential outbreaks.

5. Clarified Penalties: Strengthening penalties for violations provides a necessary deterrent, ensuring compliance and reinforcing the seriousness of pest management in Hawai‘i.

The economic, ecological, and cultural importance of protecting Hawai‘i from invasive species cannot be overstated. Our agriculture and natural resources are deeply intertwined and depend on proactive measures to prevent new pest introductions. By passing SB252, we are empowering the DOA to safeguard our islands and mitigate the substantial costs associated with pest management and eradication.

I urge the Committee to pass SB252 and provide the DOA with the tools it needs to protect Hawai‘i’s unique and precious resources. Thank you for the opportunity to testify on this critical issue.

Sincerely,

Kaualilinoe Kama

SB-252

Submitted on: 1/27/2025 1:05:56 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Christy Shaver	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Christy, and I have called Maui my home for over a decade. As someone deeply committed to preserving Hawai‘i’s unique environment and supporting sustainable, resilient communities, I strongly support SB252.

Invasive species like the little fire ant and coconut rhinoceros beetle are already causing significant harm to Hawai‘i’s fragile ecosystems, agricultural resources, and the well-being of our communities. Without decisive action, the impacts of these and other invasive pests will only worsen, threatening not just our islands’ biodiversity but also the legacy we leave for future generations.

SB252 is a crucial step in strengthening Hawai‘i’s biosecurity strategy. By prohibiting the import and intrastate sale or gift of invasive species-infested items without requiring the Department of Agriculture to engage in lengthy rulemaking or administrative processes, this bill ensures faster and more effective action. It also holds the Department accountable, removing the ability to use the lack of inspection or quarantine authorities as a reason for inaction—a gap that has allowed the little fire ant and coconut rhinoceros beetle to establish footholds in our state.

Passing SB252 is essential to protecting Hawai‘i’s environment, food security, and cherished way of life. I urge you to take this decisive action for the future of our islands.

Mahalo for your consideration.

Warm regards,
Christy

SB-252

Submitted on: 1/27/2025 1:52:27 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

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

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Danielle Espiritu, and I strongly support SB252. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai‘i’s environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department’s ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

me ke aloha,

Danielle Espiritu

SB-252

Submitted on: 1/27/2025 1:40:36 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary True	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Mary True and I **strongly support SB252**. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai‘i’s environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department’s ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

Sincerely,
Mary True

SB-252

Submitted on: 1/27/2025 12:46:29 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Hannalore Aiwohi	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Hannalore Aiwohi and I **strongly support SB252**. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai‘i’s environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations. I live in Haleiwa and we are already seeing a dramatic change. My neighbors and I are hyper vigilant but we can't do this alone.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department’s ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

Thank you,

Hannalore Aiwohi

SB-252

Submitted on: 1/27/2025 3:00:59 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ella Aki	Individual	Support	Written Testimony Only

Comments:

Aloha,

I strongly support SB252 for stronger invasive pest controls and biosecurity. Thank you for considering my support of this bill.

Mahalo piha,

Ella H. Aki

SB-252

Submitted on: 1/27/2025 3:19:46 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara Best	Individual	Support	Written Testimony Only

Comments:

We **strongly support SB252**. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai‘i’s environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations. SB252 is essential to safeguarding our environment, food security, and way of life.

Mahalo, Bill & Barbara Best, Waiuku

SB-252

Submitted on: 1/27/2025 3:11:00 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shay Chan Hodges	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Shay Chan Hodges and I **strongly support SB252**. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai'i's environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department's ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

Sincerely,
Shay Chan Hodges

SB-252

Submitted on: 1/27/2025 3:37:44 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

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

Comments:

Aloha Chairs
Keohokālole and
Gabbard, Vice Chairs
Fukunaga and Richards,
and members of the
Senate Committees on
Commerce and
Consumer Protection and
Agriculture and
Environment,

My name is William
Reese Liggett and I
strongly support SB252.
Invasive species like the
little fire ant and coconut
rhinoceros beetle are
already causing serious
harm to Hawai‘i’s
environment, agriculture,
and communities, and we
must make major
transformative shifts in
our biosecurity strategy
to mitigate the impacts of
these and other invasive
pests on our islands and
future generations.

This bill will make clear
that the import and
intrastate sale or gift of
invasive species-infested
items is prohibited -
without requiring the
Department of

Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department's ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252.**

Sincerely,
Reese Liggett

4947 Maunalani Circle
96816

SB-252

Submitted on: 1/27/2025 9:41:35 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Erin Datlof	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Erin Datlof and I work in the conservation field, I strongly support SB252. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai'i's environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department's ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

Sincerely,

Erin Datlof

SB-252

Submitted on: 1/27/2025 6:48:54 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Support	Written Testimony Only

Comments:

I strongly support SB252 that prohibits the import or sale/donation of pest-infested items, and clarifies the Agriculture Department's authority and responsibility to enforce these prohibitions through administrative inspections and quarantine orders, among other provisions.

This bill is essential as it will It will remove the Agriculture Department's ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests. Enough is enough. We need to protect our precious islands from more harm from invasive species, SB252 will help to do that.

Please pass SB252.

Thank you for the opportunity to provide testimony.

SB-252

Submitted on: 1/27/2025 10:17:23 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dylan davis	Individual	Support	Written Testimony Only

Comments:

My name is Dylan Davis, a conservationist with about 10 years of experience in the field, and I support SB252. Significant and consistent spread of invasive species throughout the state has been attributable to the sale of plants, often times with known biosecurity threats. Community and non-state agency outreach have not been sufficient in changing plant seller behavior to combat this issue. SB252 is needed to enact this change.

SB-252

Submitted on: 1/27/2025 9:23:48 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Molly Mamaril	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokalole and Gabbard, Vice Chairs Fukunaga and Richards, and Members of the Committees,

I am writing in support of SB 252 Relating to Invasive Species which provides the Hawaii Department of Agriculture (HDOA) with critical tools to strengthen Hawaii's biosecurity. This bill empowers HDOA to prevent the introduction and spread of invasive species by prohibiting the importation of any materials infested with pests without proper approval. The bill codifies HDOA's current practices while providing a scalable framework to address high-risk materials.

Mahalo for your consideration,

Molly Mamaril

SB-252

Submitted on: 1/27/2025 8:51:13 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan Chang	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Ryan Chang and I strongly support SB252. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai‘i’s environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department’s ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

Sincerely,
Ryan Chang

SB-252

Submitted on: 1/27/2025 11:50:34 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Patrice Choy	Individual	Support	Written Testimony Only

Comments:

I support SB252. Thank you for taking extra measures to strike back on invasive species.

Aloha Chairs Keohokalole and Gabbard, Vice Chairs Fukunaga and Richards, and Members of the Committees,

My name is Kiana Otsuka, and I am a concerned O'ahu resident writing in strong support of SB 252, relating to invasive species. This bill provides the Hawaii Department of Agriculture (HDOA) with new authorities and tools that could be used within HDOA's existing capacity to prevent the introduction and spread of invasive species in Hawaii.

The proposed amendments provide HDOA the needed authority and tools to:

- Prevent pest from being imported on any material without proper approvals;
- Administratively inspect all imports;
- Prohibit the sale of pests and pest-infested items; and
- Remove strict liability criminal penalties and establishment of civil penalties.

Thank you for the opportunity to support SB252 and for consideration of my testimony.

Mahalo,

Kiana Otsuka

SB-252

Submitted on: 1/27/2025 8:14:39 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Joseph Wat	Individual	Support	Written Testimony Only

Comments:

I strongly support SB252. While other means of invasive species exist, we can not deny that the movement and sale of plants is an ideal and significant vector for invasive species spread.

The text of this bill and examples of similar laws elsewhere makes it clear that other states recognize and regulate this risk through nursery management programs.

Hawai‘i has an incredibly diverse and unique ecosystem that demands the State of Hawai‘i and all of its residents do our part to care for the ‘āina. Nursery regulations like this are an essential economic incentive for nursery businesses to manage and maintain their properties against invasive species. The best nursery owners are already doing this and will not encumber a new economic strain. Nurseries that are not managing for invasive species are not operating in a pono way and prioritizing money over community wellness, the health of our forests, and the liveability of Hawai‘i in the long run.

Mahalo for your time, please pass this essential bill.

- Joseph Wat

SB-252

Submitted on: 1/28/2025 8:06:46 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Liat Portner	Individual	Support	Written Testimony Only

Comments: Aloha Chair, Vice Chair and Members of the committee, My name is Liat Portner and I am writing in support of SB252. This bill fills critical gaps in the state's current biosecurity capabilities. Addressing these points in the commodity supply chain is critical for successful biosecurity--a) that infested products are identified before being distributed at the port of entry and b) that infested materials are restricted from moving between points when found within the boundaries of interest. The invasion curve shows us just how much more costly managing invasive species are once they are established, and whatever the cost NOW is, is worth the investment. Thank you for your consideration, Liat Portner, Hale'iwa

SB-252

Submitted on: 1/28/2025 8:14:40 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Helen Sofaer	Individual	Support	Written Testimony Only

Comments:

Dear legislators,

I'm writing to support authorization for HDOA to inspect all goods coming from the mainland. Many of the most problematic invasive species that we don't yet have here in HI are likely to come in as stowaways on cargo, not necessarily on agricultural goods. We don't need red imported fire ants, and if noone is looking for them, they cannot possibly be found.

I also support prohibiting sale of plants and other goods infested with a pest. I like to give orchids and other potted plants as gifts, and I can't feel comfortable buying plants for my home or for anyone else without knowing that nurseries are doing everything they can to prevent the spread of little fire ant. An infested plant is no gift.

Thank you,

Helen

SB-252

Submitted on: 1/28/2025 1:03:28 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Carmela Resuma	Individual	Support	Written Testimony Only

Comments:

I support this bill that works to better protect our native ecosystems against invasive species.

SB-252

Submitted on: 1/28/2025 6:48:18 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kristen Young	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Kristen, I'm a Honolulu resident, and I strongly support SB252. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai'i's environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department's ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

Mahalo,

Kristen Young

SB-252

Submitted on: 1/28/2025 8:25:31 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Uma Nagendra	Individual	Support	Written Testimony Only

Comments:

The threat of invasive species is already well known -- the people of Hawai‘i are already well aware that new pests, diseases, and weeds can harm our livelihoods, economic stability, and culture. We are already seeing this with pests like little fire ant, coconut rhinoceros beetle, and rapid ‘ōhi‘a death. Despite the urgency of these threats, we remain almost wide open to new pests arriving. If we don‘t spend the money and energy to prevent invasive species from arriving, we will end up spending 100x as much on continued control of these pests. The Hawaiian islands are unique in ecosystems and culture, and this is part of our responsibility to protect them.

SB-252

Submitted on: 1/28/2025 8:30:05 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Talia Portner	Individual	Support	Written Testimony Only

Comments:

I support authorization of HDOA to inspect items coming into Hawai'i and prohibit the sale of merchandise that the seller knows is infested with a pest, I also support civil penalties for any violations. In order to protect the fragility of our island ecosystem, we need community, commercial and governmental support on all levels to adhere to the restrictions put into place, based on our best interest of less opportunity for invasive species to invade our islands. The incoming merchandise is a first line of contact, the easiest and cheapest way to stop invasions.

SB-252

Submitted on: 1/27/2025 7:54:12 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Judith White	Individual	Support	Written Testimony Only

Comments:

Please pass this important bill, for protection of our native species. Mahalo nui.

SB-252

Submitted on: 1/27/2025 11:44:13 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Julie Kuo	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokalole and Gabbard, Vice Chairs Fukunaga and Richards, and Members of the Committees,

My name is Julie Kuo and an O‘ahu resident writing in strong support of SB 252, relating to invasive species. This bill provides the Hawaii Department of Agriculture (HDOA) with new authorities and tools that could support HDOA’s existing capacity to prevent the introduction and spread of invasive species in Hawaii. Protecting Hawai‘i from invasive species through preventative measures is the most economic solution to managing invasive species (as compared to controlling/eradicating pest outbreaks across the State).

The proposed amendments provide HDOA the needed authority and tools to:

- Prevent pest from being imported on any material without proper approvals;
- Administratively inspect all imports;
- Prohibit the sale of pests and pest-infested items; and
- Remove strict liability criminal penalties and establishment of civil penalties.

Mahalo nui loa for your time and the opportunity to support SB252.

Julie (Jules) Kuo

SB-252

Submitted on: 1/27/2025 10:12:25 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Breanne Fong	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Breanne Fong, and I strongly support SB252. Invasive species like the little fire ant, coconut rhinoceros beetle, and coqui frog are already causing serious harm to Hawai'i's environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department's ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

Sincerely,
Breanne Fong

SB-252

Submitted on: 1/28/2025 7:26:02 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sarah Delgadillo	Individual	Support	Written Testimony Only

Comments:

Dear Senate

As a state resident and concerned citizen, I urge you to pass SB252. Our state agencies must be empowered and funded to proactively and reactively combat invasive species that threaten agriculture, tourism and the livelihoods and well-being of our state residents and businesses. The state has not done enough to address these threats in the past and we must take action now to facilitate inspection and enforcement. We must have consequences and penalties for bad actors to discourage those who bring invasive species into Hawai'i.

Sarah Delgadillo

SB-252

Submitted on: 1/28/2025 8:54:59 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jean Fujikawa	Individual	Support	Written Testimony Only

Comments:

I support this bill. I love buying plants and would like to do so knowing that I am not inadvertently buying plants that are invasive pests or that are infested with invasive pests.

SB-252

Submitted on: 1/28/2025 8:52:58 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dilek Sahin	Individual	Support	Written Testimony Only

Comments:

I am submitting this testimony as Dilek Sahin, PhD. I have been working as a conservation scientist on the Hawaiian Islands and in strong support of the 252 SB RELATING TO INVASIVE SPECIES.

SB 252 seeks to strengthen the biosecurity measures on the Hawaiian Islands. This legislation is crucial to mitigate the devastating impact of introduced species on ecosystems, economies, and human health.

Hawaii's ecosystems face unprecedented threats, including invasive species, climate change, and habitat loss. SB 252 provides a proactive framework to address some of these challenges. These measures are essential to preserving not only Hawaii's environment but also the cultural heritage and ecological services that are vital to the well-being of our islands and their residents.

I urge the committee to advance SB 252 to secure a healthier, more sustainable future for Hawaii.

Mahalo for the opportunity to testify in support.

SB-252

Submitted on: 1/28/2025 7:16:47 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Matthew Sandrich	Individual	Support	Written Testimony Only

Comments:

Invasive species are a major threat to us economically and ecologically. It is vitally important to hold bad actors accountable for their intentional and/or careless importation and spread of injurious pests. There needs to be consequences for this, and it should be HDOA's job to regulate. Unfortunately, penalties need to be imposed on bad actors as it has been shown time and time again that honor code just doesn't cut it.

SB-252

Submitted on: 1/28/2025 8:40:13 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mashuri Waite	Individual	Support	Written Testimony Only

Comments:

I am writing in support of SB252 because Hawaii needs to do more to prevent the arrival and spread of environmental and agricultural diseases and pests in Hawaii. In my lifetime I have experienced too many pests and diseases coming into Hawaii that harm our economy and way of life such as the coqui frog, banana bunchy top disease, coconut rhinoceros beetle, anthurium blight, little fire ant, ohia rust, rapid ohia death, etc. And I know there are many other significant pests and diseases that are not yet in the State of Hawaii or not yet on all the islands in Hawaii that we should do more to prevent the spread of.

SB-252

Submitted on: 1/27/2025 5:35:54 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Madison Owens	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Madison Owens and I **strongly support SB252**. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai‘i’s environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department’s ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

Sincerely,
Madison Owens

SB-252

Submitted on: 1/27/2025 10:43:53 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

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

Comments:

Aloha,

Precautions are more than necessary since we have seen numerous different invasive species that made its way here to Hawai'i nei. It sad to see our native species and native fauna suffer from irresponsible sale of infested shipments for sale in big name brand stores or otherwise. Our ecosystems are too fragile for this to continue and makes it harder for organizations to compete with invasive species such as CRB & LFA. We may also catch things that also should not arrive in Hawai'i like snakes or rabies that also pose a risk. I believe this will also create more jobs with in the conservation field within the islands which provide jobs.

Mahalo for considering my testimony!

SB-252

Submitted on: 1/27/2025 4:24:50 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Chai Blair-Stahn	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Chai Blair-Stahn and I **strongly support SB252**. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai‘i’s environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department’s ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

Sincerely,

Chai Blair-Stahn

The Senate
Committee on Commerce and Consumer Protection
Committee on Agriculture and Environment
Wednesday, January 29, 2025
9:30 am Conference Room 229
State Capitol

SUBJECT: Testimony in Strong Support of SB252 “Relating to Invasive Species”

Aloha Chairs Keohokalole and Gabbard, Vice Chairs Fukunaga and Richards, and Members of the Committees,

I am writing in strong support of SB252 “Relating to Invasive Species”.

Providing the Department of Agriculture (DOA) with new tools that can be implemented through existing DOA capacity with strengthen the prevention and stop the spread of high-priority invasive species. The proposed authorities will bolster the State’s biosecurity efforts by preventing the importation of pests on any material without appropriate approvals, providing the ability for DOA to inspect all imports in alignment with the United States Department of Agriculture (USDA)’s current practices, preventing the sale of pests and pest-infested items, and reducing penalties for invasive-species related violations from the criminal to the civil level of penalties. These new tools will be instrumental in expanding invasive species prevention and response, thereby limiting the threats posed by these dangerous species.

I am grateful for the continued support from all State departments, the legislature, and the members of this Committee. Thank you for your time and consideration on this matter.

Sincerely,
Timothy Sullivan
16c Puu Hina Street
Hilo, HI, 96720

SB-252

Submitted on: 1/28/2025 7:45:22 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kevin Armstrong	Individual	Support	Written Testimony Only

Comments:

We need to begin addressing invasive species issues at the source - which is at ports before they are able to establish in the state. Unless we shut off the valve, we will continue to be berated with invasive species that put increasing pressures on our communities. We are well behind the curve on managing many invasive pests that have altered life on the islands and it would be negligent to fail to take action on preventing future infestations as we are well aware of how damaging invasive species can be.

SB-252

Submitted on: 1/27/2025 3:56:21 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Blair	Individual	Support	Written Testimony Only

Comments:

Support

SB-252

Submitted on: 1/28/2025 9:19:51 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jane Beachy	Individual	Support	Written Testimony Only

Comments:

Aloha,

I'm writing in support of bill SB252, which authorized HDOA to inspect all items coming into Hawaii, and prohibits the sale of merchandise which the seller knows to be infested with a pest. This is a common sense proposal, which strengthens biosecurity rules for our State. Hawaii is a hotspot of biodiversity, and the many invasive species challenges which we now face pose a direct threat to these species as well as the fabric of our unique ecosystem. Invasive species such as Little Fire Ant, Coconut Rhinoceros Beetle, Ramie Moth, *Miconia calvescens*, *Chromolaena odorata*, and many others have a massive impact on environmental health, agriculture, and human health. Improving biosecurity measures is the pono choice.

Thank you for your consideration,

Jane Reppun Beachy

SB-252

Submitted on: 1/27/2025 3:50:14 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Marcia Kemble	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Marcia Kemble and I **strongly support SB252**. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai‘i’s environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department’s ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

Sincerely,
Marcia Kemble
Makiki

SB-252

Submitted on: 1/28/2025 9:30:50 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Koa Grabar	Individual	Support	Written Testimony Only

Comments:

I am in support of SB252. I don't even understand why this isn't in place already, it seems like such an obvious choice to help prevent the spread of invasive species to Hawaii.

SB-252

Submitted on: 1/28/2025 9:43:41 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Megan Vynne	Individual	Support	Written Testimony Only

Comments:

I support this bill

SB-252

Submitted on: 1/28/2025 9:48:12 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Laura Leonberger	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Laura Leonberger and I **strongly support SB252**. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai‘i’s environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations. Once we allow these pests to take root on our islands, there will be little we can do to rectify the problem.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department’s ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life. We must do all we can to prevent these pests from invading our islands.

Therefore, I urge you to **PASS SB252**.

Sincerely,
Laura Leonberger

SB-252

Submitted on: 1/28/2025 11:38:24 AM

Testimony for AEN on 1/29/2025 9:30:00 AM

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

Comments:

Yes to inspections of imports and prohibition of items infested with pests.

SB-252

Submitted on: 1/28/2025 12:11:32 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Elliott	Individual	Support	Written Testimony Only

Comments:

I am in support of the authorization of HDOA to inspect all items coming into Hawai'i and prohibiting the sale of merchandise that the seller knows is infested with a pest. And to ensure the action is effective by establishing civil penalties for any violations.

SB-252

Submitted on: 1/28/2025 12:44:01 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

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

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Avalon Paradea and I strongly support SB252. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai‘i’s environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department’s ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

Mahalo,
Avalon Paradea

SB-252

Submitted on: 1/28/2025 1:31:46 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
McKenzie Wildey	Individual	Support	Written Testimony Only

Comments:

I support this measure.

SB-252

Submitted on: 1/28/2025 3:45:34 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kallie Barnes	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is [Your name] and I strongly support SB252. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai‘i’s environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department’s ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

Sincerely,
Kallie

SB-252

Submitted on: 1/28/2025 3:50:35 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Hideki Kimukai	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokālole and Gabbard, Vice Chairs Fukunaga and Richards, and members of the Senate Committees on Commerce and Consumer Protection and Agriculture and Environment,

My name is Hideki Kimukai and I **strongly support SB252**. Invasive species like the little fire ant and coconut rhinoceros beetle are already causing serious harm to Hawai‘i’s environment, agriculture, and communities, and we must make major transformative shifts in our biosecurity strategy to mitigate the impacts of these and other invasive pests on our islands and future generations.

This bill will make clear that the import and intrastate sale or gift of invasive species-infested items is prohibited - without requiring the Department of Agriculture to pass rules or issue orders, processes that could take months, years, or decades. It will also remove the Department’s ability to use the lack of inspection or quarantine authorities as an excuse for inaction, as has been the case with the little fire ant, coconut rhinoceros beetle, and too many other known pests.

SB252 is essential to safeguarding our environment, food security, and way of life.

Therefore, I urge you to **PASS SB252**.

Sincerely,
Hideki Kimukai

SB-252

Submitted on: 1/28/2025 7:13:28 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaleiheana-a-Pohaku Stormcrow	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Keohokalole, Vice Chair Fukunaga, and Members of the Committee,

*My name is Kaleiheana Stormcrow, and I am writing in **STRONG support of SB252**, which would target the importation and sale of infested items, two major pathways for invasive species to be introduced to and spread across our islands.*

It has never made any sense to me that there is stricter biocontrol going out of the islands than coming in. We are the endangered species and invasive species capitol of the world. We need to do everything we can to prevent more invasive pests from entering Hawai'i and invading our fragile ecosystems. Pests can spread easily once introduced and, as we have seen time and again, can easily threaten native species as well as agriculture.

This bill will prohibit importation and sale of infested materials, and penalties for violations—which are sorely needed to prevent further destruction of our native and Indigenous plants and food systems.

Mahalo for your consideration!

Kaleiheana Stormcrow

SB-252

Submitted on: 1/28/2025 9:06:10 PM

Testimony for AEN on 1/29/2025 9:30:00 AM

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

Comments:

HDOA should already be inspecting all items coming into our state and even interisland. That they continue to allow the interisland spread of some of the worlds worst known invasives species shows a negligent department with poor oversight. Our state needs to do better to protect the fragile ecosystems and ensure border and even inter island biosecurity.