

STAND. COM. REP. NO.

2794

Honolulu, Hawaii

MAR 19 2010

RE: H.B. No. 2775
H.D. 2
S.D. 1

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

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred H.B. No. 2775, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish fees for the review and processing of permits and other requests for the importation or possession of plants, animals, or microorganisms into the State in order to provide stable funding for the Department of Agriculture's permit specialists and additional resources to allow appropriate review of import requests and more timely processing of permits and related authorizations; and
- (2) Repeal the permit revolving fund.

Your Committee received testimony in support of this measure from one state department, one university entity, and three private entities. Written testimony presented to the Committee may be reviewed on the Legislature's website.

The safe introduction of plants, non-domestic animals (such as fish, birds, amphibians, and insects), microorganisms, (such as algae, bacteria, fungi, protozoa, and viruses), and soil is managed by the Department of Agriculture. The Department charges



user fees for the processing and issuance of permits, as well as for issuance of a letter of authorization for certain types of microorganisms or the registration of microbial products.

Your Committee finds that this measure expands the assessment of a user fee to include plants as well as any request for a permit for plants, animals, or microorganisms that require a rule change or a change in the listing of an organism for importation or possession. The fees under this measure will provide additional funding to support the Department in evaluating import requests based upon available information on the organism, its intended use, and the existence of adequate safeguards and protocols to prevent escape or theft of the allowed species. The fees will be deposited into the pest inspection, quarantine, and eradication fund rather than the pest revolving fund.

Your Committee has amended this measure by:

- (1) Making clarifying amendments to this measure on the recommendation of the Department, including the inclusion of soil analysis and transfers within the State;
- (2) Adding a transition provision relating to deposit of fees into the pest inspection, quarantine, and eradication fund, on the recommendation of the Department; and
- (3) Making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2775, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2775, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Agriculture, and Hawaiian
Affairs,



CLAYTON HEE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Water, Land, Agriculture and Hawaiian Affairs
WTL

Bill / Resolution No.:* HB 2775 HD2	Committee Referral: WTL, WAM	Date: 3/15/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
TOKUDA, Jill N. (VC)				/
BUNDA, Robert	/			
FUKUNAGA, Carol	/			
KOKUBUN, Russell S.	/			
TAKAMINE, Dwight Y.				/
HEMMINGS, Fred				/
TOTAL	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Russell Kohb</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes