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# A BILL FOR AN ACT

RELATING TO PUBLIC LANDSCAPING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. The legislature finds that Hawaii's unique,  
2 native, land plants contribute to the beauty of the island  
3 state. They foster an understanding, appreciation, and respect  
4 for Hawaiian history and culture. To ensure the continued  
5 perpetuation of native Hawaiian land plants, public and private  
6 entities must work together.

7 The purpose of this Act is to promote and use native  
8 Hawaiian land plants in state and county landscaping projects.

9 SECTION 2. Section 103D-408, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "~~{}~~§103D-408~~{}~~ ~~[Indigenous and Polynesian introduced]~~  
12 Native Hawaiian land plants; use in public landscaping~~[,]~~,  
13 highway beautification, and road projects. (a) ~~[Wherever and~~  
14 ~~whenever feasible, all]~~ All plans, designs, and specifications  
15 for new or renovated landscaping of any building, complex of  
16 buildings, facility, complex of facilities, ~~[or]~~ housing, or  
17 highway beautification and road construction and improvement  
18 projects developed by the State, counties, or any political



1 subdivision with public moneys shall incorporate [~~indigenous~~  
2 ~~land plant species as defined in section 195D-2, and plant~~  
3 ~~species brought to Hawaii by Polynesians before European~~  
4 ~~contact, such as the kukui, noni, and coconut,~~] native Hawaiian  
5 land plants; provided that:

6 (1) Suitable cultivated plants, specified on the list  
7 established pursuant to subsection (b), can be made  
8 available for this purpose without jeopardizing wild  
9 plants in their natural habitat; [~~and~~]

10 (2) Wherever and whenever possible, [~~indigenous~~] native  
11 Hawaiian land plants shall be used for landscaping on  
12 the island or islands on which the species  
13 originated[~~-~~]; and

14 (3) Wild plants shall not be collected and redistributed  
15 for use in any project.

16 (b) [~~Each plant or group of plants used pursuant to~~  
17 ~~subsection (a) shall be clearly identified with signs for the~~  
18 ~~edification of the general public.~~] The department of land and  
19 natural resources shall establish a list of appropriate native  
20 Hawaiian land plants to be used for each island; provided that  
21 the department of land and natural resources may allow  
22 exceptions for the use of land plants that are not on the list



1 for instances where there is a lack of available cultivated  
2 native Hawaiian plants that are environmentally suited to the  
3 project site."

4 SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Native Hawaiian Land Plants; Department of Land and Natural Resources; Public Landscaping; Highways; Roads

**Description:**

Requires all public landscaping, highway beautification, and road construction and improvement projects to include native Hawaiian land plants from a list compiled by DLNR. Restricts the use of wild plants. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

