
A BILL FOR AN ACT

RELATING TO INVASIVE PLANTS.

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

1 SECTION 1. Despite the documented impacts of invasive
2 plants to agriculture, the economy, and natural resources in the
3 State, plants that are known to be highly invasive are still
4 legally imported into and sold throughout the State. Invasive
5 plants have not been added to regulatory lists, in part, due to
6 the complex listing process that was created prior to the
7 development of reliable, objective screening tools.

8 The Hawaii pacific weed risk assessment is an objective
9 screening tool, or "background check" for plants, that is
10 ninety-five per cent accurate in identifying plants that will
11 become invasive in Hawaii. Trained botanists use published
12 information to answer forty-nine questions about a plant's
13 biology, ecology, and behavior in other regions with a similar
14 climate to Hawaii. Plants with a documented history of being
15 harmful, injurious, or detrimental to agriculture and forests
16 can easily be identified and excluded from Hawaii using this
17 tool. Over one thousand eight hundred plants have already been



1 screened, and most are safe for Hawaii nurseries and residents
2 to grow.

3 The purpose of this Act is to simplify the listing process
4 for the designation of plants to the restricted plants list and
5 the noxious weeds list using an objective rating system, and
6 thereby prevent the importation, sale, and uncontrolled spread
7 of invasive species throughout the State.

8 SECTION 2. Section 141-3, Hawaii Revised Statutes, is
9 amended by amending subsection (a) to read as follows:

10 "(a) The department of agriculture shall designate the
11 coqui frog as a pest. In addition, the department of
12 agriculture shall designate any plant that has been rated as
13 high risk by the Hawaii pacific weed risk assessment as a pest.
14 All other pest designations shall be established by rule,
15 including the criteria and procedures for the designation of
16 pests for control or eradication."

17 SECTION 3. Section 150A-2, Hawaii Revised Statutes, is
18 amended by amending the definition of "pest" to read as follows:

19 ""Pest" means any plant, animal, insect, disease agent or
20 other organism in any stage of development that is detrimental
21 or potentially harmful to agriculture, or horticulture, or



1 animal or public health, or natural resources including native
2 biota or has an adverse effect on the environment as determined
3 by the board."

4 SECTION 4. Section 150A-6.1, Hawaii Revised Statutes, is
5 amended by amending subsections (a), (b), and (c) to read as
6 follows:

7 "(a) The board shall maintain a list of restricted plants
8 that are prohibited or require a permit for entry into the
9 State. Restricted plants or any portion thereof shall not be
10 imported into the State without a permit issued pursuant to
11 rules. The list shall be updated annually, but at a minimum of
12 at least once every five years.

13 (b) The department shall designate, by rule, as restricted
14 plants, specific plants that [may]:

15 (1) May be detrimental or potentially harmful to
16 agriculture, horticulture, the environment, or animal
17 or public health~~[, or that spread];~~

18 (2) Spread or may be likely to spread an infestation or
19 infection of an insect, pest, or disease that is
20 detrimental or potentially harmful to agriculture,



1 horticulture, the environment, or animal or public
2 health~~[-]~~; or

3 (3) Have been rated as high risk according to the Hawaii
4 pacific weed risk assessment.

5 In addition, plant species designated by rule as noxious weeds
6 are designated as restricted plants.

7 (c) The department [~~may~~] shall regulate or prohibit the
8 sale of [~~specific~~] plants on the list of restricted plants by
9 rule."

10 SECTION 5. Section 152-4, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "The department, on an annual basis, shall automatically
13 designate as noxious weeds any plant species that has been rated
14 as high risk according to the Hawaii pacific weed risk
15 assessment. The department may designate [~~certain~~] additional
16 plant species as noxious weeds following the criteria and
17 procedures established under section 152-2(1). The department
18 shall publish and make available a list of noxious weeds to
19 interested persons."

20 SECTION 6. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 7. This Act shall take effect upon its approval.

2

INTRODUCED BY:

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H.B. NO. 228

Report Title:

Invasive Plants; Hawaii Pacific Weed Risk Assessment

Description:

Simplifies the listing process for the designation of plants to the restricted plants list and the noxious weeds list by using the findings of the Hawaii Pacific Weed Risk Assessment to prevent the importation, sale, and uncontrolled spread of invasive species.

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