



GOV. MSG. NO. 802

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

June 10, 2008

The Honorable Colleen Hanabusa, President  
and Members of the Senate  
Twenty-Fourth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on June 10, 2008, the following bill was signed into law:

HB2977 HD1 SD1 CD1

A BILL FOR AN ACT RELATING TO INVASIVE  
SPECIES.  
(ACT 160)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

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# A BILL FOR AN ACT

RELATING TO INVASIVE SPECIES.

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

1 SECTION 1. Section 194-2, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) There is established the invasive species council for  
4 the special purpose of providing policy level direction,  
5 coordination, and planning among state departments, federal  
6 agencies, and international and local initiatives for the  
7 control and eradication of harmful invasive species infestations  
8 throughout the [~~State~~] state and for preventing the introduction  
9 of other invasive species that may be potentially harmful. The  
10 council shall:

11 (1) Maintain a broad overview of the invasive species  
12 problem in the [~~State~~] state;

13 (2) Advise, consult, and coordinate invasive species-  
14 related efforts with and between the departments of  
15 agriculture, land and natural resources, health, and  
16 transportation, as well as state, federal,  
17 international, and privately organized programs and  
18 policies;



- 1           (3) Identify and prioritize each lead agency's  
2                   organizational and resource shortfalls with respect to  
3                   invasive species;
- 4           (4) After consulting with appropriate state agencies,  
5                   create and implement a plan that includes the  
6                   prevention, early detection, rapid response, control,  
7                   enforcement, and education of the public with respect  
8                   to invasive species, as well as fashion a mission  
9                   statement articulating the State's position against  
10                  invasive species; provided that the appropriate state  
11                  agencies shall collaborate with the counties and  
12                  communities to develop and implement a systematic  
13                  approach to reduce and control coqui frog infestations  
14                  on public lands that are near or adjacent to  
15                  communities, and shall provide annual reports on the  
16                  progress made in achieving this objective;
- 17          (5) Coordinate and promote the State's position with  
18                  respect to federal issues, including:
- 19                  (A) Quarantine preemption;
- 20                  (B) International trade agreements that ignore the  
21                          problem of invasive species in Hawaii;
- 22                  (C) First class mail inspection prohibition;

- 1 (D) Whether quarantine of domestic pests arriving
- 2 from the mainland should be provided by the
- 3 federal government;
- 4 (E) Coordinating efforts with federal agencies to
- 5 maximize resources and reduce or eliminate system
- 6 gaps and leaks, including deputizing the United
- 7 States Department of Agriculture's plant
- 8 protection and quarantine inspectors to enforce
- 9 Hawaii's laws;
- 10 (F) Promoting the amendment of federal laws as
- 11 necessary, including the Lacey Act Amendments of
- 12 1981, Title 16 United States Code [~~sections~~]
- 13 Sections 3371-3378; Public Law 97-79, and laws
- 14 related to inspection of domestic airline
- 15 passengers, baggage, and cargo; and
- 16 (G) Coordinating efforts and issues with the federal
- 17 Invasive Species Council and its National
- 18 Invasive Species Management Plan;
- 19 (6) Identify and record all invasive species present in
- 20 the [~~State,~~] state;
- 21 (7) Designate the department of agriculture, health, or
- 22 land and natural resources as the lead agency for each



- 1 function of invasive species control, including  
2 prevention, rapid response, eradication, enforcement,  
3 and education;
- 4 (8) Identify all state, federal, and other moneys expended  
5 for the purposes of the invasive species problem in  
6 the [~~State~~] state;
- 7 (9) Identify all federal and private funds available to  
8 the State to fight invasive species and advise and  
9 assist state departments to acquire these funds;
- 10 (10) Advise the governor and legislature on budgetary and  
11 other issues regarding invasive species;
- 12 (11) Provide annual reports on budgetary and other related  
13 issues to the legislature twenty days prior to each  
14 regular session;
- 15 (12) Include and coordinate with the counties in the fight  
16 against invasive species to increase resources and  
17 funding and to address county-sponsored activities  
18 that involve invasive species;
- 19 (13) Review state agency mandates and commercial interests  
20 that sometimes call for the maintenance of potentially  
21 destructive alien species as resources for sport  
22 hunting, aesthetic resources, or other values;



1 (14) Review the structure of fines and penalties to ensure  
2 maximum deterrence for invasive species-related  
3 crimes;

4 (15) Suggest appropriate legislation to improve the State's  
5 administration of invasive species programs and  
6 policies;

7 (16) Incorporate and expand upon the department of  
8 agriculture's weed risk assessment protocol to the  
9 extent appropriate for the council's invasive species  
10 control and eradication efforts; and

11 (17) Perform any other function necessary to effectuate the  
12 purposes of this [+]chapter[+]."

13 SECTION 2. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 3. This Act shall take effect upon its approval.

APPROVED this 10 day of JUN , 2008



GOVERNOR OF THE STATE OF HAWAII

