

JAN 22 2026

A BILL FOR AN ACT

RELATING TO THE HAWAII INVASIVE SPECIES COUNCIL.

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

1 SECTION 1. The legislature finds that the Hawaii invasive
2 species council was first established by executive order
3 no. 02-03 (2002) and formally codified by Act 85, Session Laws
4 of Hawaii 2003, to foster and organize coordinated approaches
5 among various executive departments, federal agencies, and
6 international and local initiatives for the prevention and
7 control of invasive species.

8 The legislature further finds that the council's work is
9 critical to coordinating, supporting, and extending the
10 capacities of state agencies to prevent and control invasive
11 species through cross-agency programs. These programs perform
12 vital functions, including monitoring for pests around ports of
13 entry, expanding public pest reporting to provide an online pest
14 report option, providing predictive risk assessments on
15 thousands of potentially invasive plant species, and
16 facilitating a competitive grant process to fund projects that
17 further extend capacities and research.



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1 The legislature recognizes that the staff of the Hawaii
2 invasive species council, guided by the council itself,
3 coordinate and manage these important programs to prevent and
4 control invasive species. The staff is presently comprised of
5 one full-time natural resource management specialist, serving as
6 program manager, five full-time contracted staff members, and
7 one part-time student hire.

8 The legislature notes that, at the council's September 2025
9 meeting, the council considered the current staff positions and
10 the administrative transfer of these positions and functions
11 from the department of land and natural resources to the
12 department of agriculture and biosecurity pursuant to Act 236,
13 Session Laws of Hawaii 2025. Following discussion, the council
14 unanimously approved a request to pursue a new organizational
15 structure for the council's support staff, including requesting
16 that the legislature establish an executive director position.

17 The legislature further finds that to facilitate the
18 efficient administrative transfer of the council, prevent
19 interruptions to council programs, and ensure that the council
20 continues to function as an independent, cabinet-level



1 coordinating council, the council's request to establish an
2 executive director position is warranted.

3 The legislature additionally notes that an important duty
4 of the council is to suggest appropriate legislation to improve
5 the State's administration of invasive species programs and
6 policies. Through this feedback, the council's statutory powers
7 and duties can be appropriately amended to improve outcomes.

8 Accordingly, the purpose of this Act is to:

- 9 (1) Establish the position of the Hawaii invasive species
10 council executive director;
11 (2) Transfer the council's funding for the 2026-2027
12 fiscal year to the department of land and natural
13 resources in accordance with its current
14 administration; and
15 (3) Require a report to the legislature.

16 SECTION 2. Section 194-2, Hawaii Revised Statutes, is
17 amended to read as follows:

18 **"§194-2 [f]Establishment of council; duties.[f] (a)**

19 There is established the invasive species council for the
20 special purpose of providing policy level direction,
21 coordination, and planning among state departments, federal



1 agencies, and international and local initiatives for the
2 control and eradication of harmful invasive species infestations
3 throughout the State and for preventing the introduction of
4 other invasive species that may be potentially harmful. The
5 council shall:

6 (1) Maintain a broad overview of the invasive species
7 problem in the State;

8 (2) Advise, consult, and coordinate invasive species-
9 related efforts with and between the departments of
10 agriculture and biosecurity, land and natural
11 resources, health, and transportation, as well as
12 state, federal, international, and privately organized
13 programs and policies;

14 (3) Identify and prioritize each lead agency's
15 organizational and resource shortfalls with respect to
16 invasive species;

17 (4) After consulting with appropriate state agencies,
18 create and implement a plan that includes the
19 prevention, early detection, rapid response, control,
20 enforcement, and education of the public with respect
21 to invasive species, as well as fashion a mission



1 statement articulating the State's position against
2 invasive species; provided that the appropriate state
3 agencies shall collaborate with the counties and
4 communities to develop and implement a systematic
5 approach to reduce and control coqui frog infestations
6 on public lands that are near or adjacent to
7 communities, and shall provide annual reports on the
8 progress made in achieving this objective;

9 (5) Coordinate and promote the State's position with
10 respect to federal issues, including:

11 (A) Quarantine preemption;

12 (B) International trade agreements that ignore the
13 problem of invasive species in Hawaii;

14 (C) First class mail inspection prohibition;

15 (D) Whether quarantine of domestic pests arriving
16 from the [~~mainland~~] continental United States
17 should be provided by the federal government;

18 (E) Coordinating efforts with federal agencies to
19 maximize resources and reduce or eliminate system
20 gaps and leaks, including deputizing the United
21 States Department of Agriculture's plant



1 protection and quarantine inspectors to enforce
2 Hawaii's laws;

3 (F) Promoting the amendment of federal laws as
4 necessary, including the Lacey Act Amendments of
5 1981, Title 16 United States Code sections
6 3371-3378; Public Law 97-79, and laws related to
7 inspection of domestic airline passengers,
8 baggage, and cargo; and

9 (G) Coordinating efforts and issues with the federal
10 Invasive Species Council and its National
11 Invasive Species Management Plan;

12 (6) Identify and record all invasive species present in
13 the State;

14 (7) Designate the department of agriculture and
15 biosecurity, health, or land and natural resources as
16 the lead agency for each function of invasive species
17 control, including prevention, rapid response,
18 eradication, enforcement, and education;

19 (8) Identify all state, federal, and other moneys expended
20 for the purposes of the invasive species problem in
21 the State;



- 1 (9) Identify all federal and private funds available to
- 2 the State to fight invasive species and advise and
- 3 assist state departments to acquire these funds;
- 4 (10) Advise the governor and legislature on budgetary and
- 5 other issues regarding invasive species;
- 6 (11) Provide annual reports on budgetary and other related
- 7 issues to the legislature twenty days prior to each
- 8 regular session;
- 9 (12) Include and coordinate with the counties in the fight
- 10 against invasive species to increase resources and
- 11 funding and to address county-sponsored activities
- 12 that involve invasive species;
- 13 (13) Review state agency mandates and commercial interests
- 14 that sometimes call for the maintenance of potentially
- 15 destructive alien species as resources for sport
- 16 hunting, aesthetic resources, or other values;
- 17 (14) Review the structure of fines and penalties to ensure
- 18 maximum deterrence for invasive species-related
- 19 crimes;



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

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

(17) Perform any other function necessary to effectuate the purposes of this chapter.

(b) The council shall be placed within the department of land and natural resources for administrative purposes only and shall be composed of:

(1) The president of the [~~University~~] university of Hawaii, or the president's designated representative;

(2) The director, or the director's designated representative, of each of the following departments:

(A) Business, economic development, and tourism;

(B) Health; and

(C) Transportation; and

(3) The chairperson, or the chairperson's designated representative, of each of the following departments:



1 (A) Agriculture and biosecurity; and

2 (B) Land and natural resources.

3 (c) Representatives of federal agencies, the legislature,
4 and members of the private sector shall be asked to participate
5 or consulted for advice and assistance. Representatives of the
6 legislature shall consist of eight members, as follows:

7 (1) Four senators, one from each county, to be selected by
8 the senate president; and

9 (2) Four representatives, one from each county, to be
10 selected by the speaker of the house of
11 representatives.

12 (d) The council shall appoint an executive director who
13 shall be exempt from chapter 76. The salary of the executive
14 director shall be set by the council and shall not be less than
15 the salary of the forestry and wildlife manager of the Oahu
16 branch of the division of forestry and wildlife of the
17 department of land and natural resources. The executive
18 director shall:

19 (1) Be a person with:



(A) Appropriate education and training in the field of biosecurity and invasive species prevention and control; and

(B) Experience in managing and coordinating biosecurity and invasive species prevention, control, and outreach programs;

(2) Serve as the council's chief executive officer;

(3) Be responsible for carrying out the purposes and duties of the council, as assigned;

(4) Serve on a full-time basis; and

(5) Be included in any benefit program generally applicable to the officers and employees of the State.

~~[(d)]~~ (e) The council shall meet no less than twice annually to discuss and assess progress and recommend changes to the invasive species programs based on results of current risk assessments, performance standards, and other relevant data.

Notwithstanding any law to the contrary:

(1) A simple majority of voting members of the council shall constitute a quorum to do business; and

(2) Any action taken by the council shall be by a simple majority of the voting members.



1 [~~(e)~~] (f) The council shall submit a report of its
2 activities to the governor and legislature annually."

3 SECTION 3. Act 236, Session Laws of Hawaii 2025, is
4 amended by amending section 42 to read as follows:

5 "SECTION 42. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$4,250,000 or so much
7 thereof as may be necessary for fiscal year 2026-2027 for the
8 operations of the Hawaii invasive species council.

9 The sum appropriated shall be expended by the department of
10 ~~[agriculture and biosecurity]~~ land and natural resources for the
11 purposes of this Act."

12 SECTION 4. The Hawaii invasive species council shall
13 submit a report of its findings and recommendations, including
14 any proposed legislation, to the legislature no later than
15 December 1, 2026 that shall include recommendations for proposed
16 legislation to:

17 (1) Improve the State's administration of invasive species
18 programs and policies; and

19 (2) Ensure the responsibilities and duties of the council
20 continue to efficiently and effectively promote the



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1 prevention and control of invasive species in the
2 State.

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

5 SECTION 6. This Act shall take effect on July 1, 2026.

6

INTRODUCED BY: *Seal*



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Report Title:

DLNR; DAB; HISC; Executive Director; Appropriation; Report

Description:

Establishes the position of the Hawaii Invasive Species Council Executive Director. Appropriates funds to the Department of Land and Natural Resources, rather than the Department of Agriculture and Biosecurity, for the HISC for fiscal year 2026-2027. Requires a report to the Legislature.

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

