

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

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BOARD OF LAND AND NATURAL RESOURCES
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RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
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CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
RYAN K.P. KANAKA'OLE
Acting Chairperson

Before the House Committee on
AGRICULTURE AND FOOD SYSTEMS

Wednesday February 4, 2026
9:00 AM
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 2596
RELATING TO PLANTS

House Bill 2596 requires people who sell or offer plants for sale at retail to provide information about the invasiveness risk of the plant species. It also mandates that the Invasive Species Council develop a labeling system that displays the weed risk assessments of plants. The bill establishes fines for violations. **The Department of Land and Natural Resources (Department) supports this measure as long as its passage does not replace or negatively affect priorities outlined in the Executive Supplemental Budget request.**

With enough information, consumers are more likely to purchase healthy foods. This is why the U.S. Food and Drug Administration (FDA) requires most packaged foods to include nutrition labels. Similarly, when given sufficient information about whether plants pose an environmental risk, surveys show that consumers tend to choose plants that pose less risk.

The Plant Pono program and the Hawai'i-Pacific Weed Risk Assessment (HPWRA) are tools maintained by the Hawai'i Invasive Species Council (HISC) that allow consumers to determine if a given plant is at risk of being invasive in Hawai'i. This bill would help consumers access that information at the point of sale. Much like the FDA's food labels, consumers could look at the labels on plants and determine if such a plant could become an invasive problem if planted outside. This could, in turn, enable consumers to make more informed decisions.

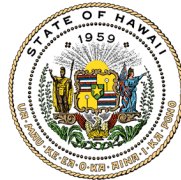
The Department deals directly with the effects of invasive plants that have escaped from people's yards. Our staff and partners consistently work to control invasive plants like Devil Weed, *Miconia*, Ivy Gourd, and Pampas Grass, many of which were intentionally introduced by consumers. If consumers opt for more low-risk plants, it will greatly reduce the influx of invasive plants into Hawai'i's environment.

The HPWRA and Plant Pono are useful tools that provide consumers with invasive plant risk information. Making this information easily accessible at the point of sale would help further reduce the introduction of invasive plants into Hawai'i's environment.

Mahalo for the opportunity to comment on this measure.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



State of Hawai'i
DEPARTMENT OF AGRICULTURE & BIOSECURITY
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SHARON HURD
Chairperson
Board of Agriculture & Biosecurity

DEAN M. MATSUKAWA
Deputy to the Chairperson

**TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE AND BIOSECURITY**

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

**WEDNESDAY, FEBRUARY 4, 2026
9:00 AM
CONFERENCE ROOM 325 & VIDEOCONFERENCE**

**HOUSE BILL NO. 2596
RELATING TO PLANTS**

Chair Chun, Vice Chair Kusch, and Members of the Committee:

Thank you for the opportunity to provide testify on House Bill No. 2596, relating to plants. This measure requires persons who sell or offer plants for sale at retail to provide information on the risk of invasiveness of the plant species. Requires the Invasive Species Council to develop a labeling system for plants that displays the plants' weed risk assessment; establishes fines for violations; and is effective 1/1/2027. The Department of Agriculture and Biosecurity (Department) offers comments.

The Department believes that all facets should be placed solely within the Department, including amending the measure to transfer the necessary personnel and operating funds for the Plant Pono website and the Hawaii-Pacific Weed Risk Assessment (HPWRA) to the Department. The Department believes this change is necessary because the measure proposes penalties associated with non-compliance and possible violators need to be able to contest said violations. As the Department does not currently oversee or maintain either the Plant Pono website or the HPWRA, it is unclear how a contested case hearing would occur as the Department's regulatory action would be based solely on resources managed outside of the Department and maintained by non-Departmental employees. The Department has a similar stance about the use of the Hawaii Invasive Species Council (HISC) developing the labeling and potential for rulemaking, as both should be within the Department.

In addition, requiring the labeling of all plants regardless of their invasiveness level is burdensome and costly for growers as most plants offered for sale are not invasive.

Thank you for the opportunity to testify on this measure.



**HOUSE OF REPRESENTATIVES
THE THIRTY-THIRD LEGISLATURE
REGULAR SESSION OF 2026**

COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

**Rep. Cory M. Chun, Chair
Rep. Matthias Kusch, Vice Chair**

**Wednesday, February 4, 2026
9:00 AM
Conference Room 325 & Videoconference
State Capitol
415 South Beretania Street**

RE: HB2596 RELATING TO PLANTS

My name is Eric S. Tanouye and I am the President for the Hawaii Floriculture and Nursery Association. HFNA is a statewide umbrella organization with approximately 350 members. Our membership is made up with breeders, hybridizers, propagators, growers, shippers, wholesalers, retailers, educators, and the allied industry, which supports our efforts in agriculture.

The Hawaii Floriculture and Nursery Association (HFNA) **OPPOSES House Bill 2596** which requires persons who sell or offer plants for sale at retail to provide information on the risk of invasiveness of the plant species. Requires the Invasive Species Council to develop a labeling system for plants that displays the plants' weed risk assessments

We appreciate these efforts to help strengthen and enforce our Biosecurity program yet we have a few reservations on how this will be implemented. We see that this Bill would require plant sellers to be able to procure labels from a 3rd party non-regulatory agency. We are not sure what would happen if we are unable to procure the labels or if the information on the labels is not constantly updated.

We also would like to see a clear explanation of what the term "Plant" is defined as. We are not sure if it just plants in pots? Cut products? Propagatable products? Seeds?

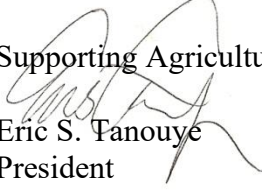
We are also not sure on if the plants' weed risk assessment can be challenged?

We ask that you support our industry and agriculture, so that we may continue to bring the beauty of Hawaii to others through flowers and ornamentals.



If you have any questions at this time, I would be happy to discuss them and can be reached by phone at 808-959-3535 ext 2627, cell 960-1433 and email eric@greenpointnursery.com.

Supporting Agriculture and Hawaii,


Eric S. Tanouye
President

Hawaii Floriculture and Nursery Association



House of Representatives
Committee on Agriculture & Food Systems
Wednesday, February 4, 2026
9:00 AM Conference Room 325 & Videoconference
State Capitol

Testimony in Support of HB2596

Aloha Chair Chun, Vice Chair Kusch, and Members of the Committee,

The Coordinating Group on Alien Pest Species (CGAPS) is **in support of HB2596, *Relating to Plants***, which requires commercial sellers to provide information about the invasiveness of plant species they offer for sale, based on the plant's Hawaii-Pacific Weed Risk Assessment score, and a link to the Plant Pono Program website.

Plants designated by the Hawaii Department of Agriculture and Biosecurity as noxious weeds are prohibited from being imported into or sold in Hawaii. (§150A-6.1(d) HRS) Unfortunately, the list of noxious weeds has not been updated since 1992, resulting in many harmful invasive plant species being omitted from the list. (Ch. 4-68 HAR) These invasive plants may be lawfully sold in Hawaii. To address this gap in the State's biosecurity, the Hawaii Invasive Species Council, the Hawaii Biological Information Network, and CGAPS developed the Plant Pono Program. (See <https://plantpono.org/>) The Plant Pono website allows users, including home gardeners, landscape architects, and land managers, to search plant species to determine their invasiveness and to find recommendations for pono plants - non-invasive alternatives.

HB2596 also highlights the importance of the Hawaii-Pacific Weed Risk Assessment (HPWRA), which is a vetting process for plants. HPWRA uses published scientific papers to assess the invasiveness risk of different plant species in Hawaii. HPWRA has assessed thousands of plant species, and any person can request a HPWRA score for a plant species, which provides valuable information and promotes the use of noninvasive species. While a HPWRA score alone is not sufficient to determine if a plant is a harmful invasive species in any or all circumstances, the score does provide helpful information, especially for plants that are scored as a low risk of invasiveness.

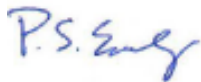
Many people are surprised to learn that harmful invasive plant species are for sale in Hawaii. Providing information about the invasiveness of plants at the point of sale will help consumers make informed choices and identify and purchase native and non-invasive plant species.

Thank you for the opportunity to provide testimony and to support HB2596.

Aloha,



Christy Martin
CGAPS Program Manager



Stephanie Easley
CGAPS Legal Fellow



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Waimānalo, O'ahu

Vincent Kimura
Honolulu, O'ahu

Natalie Urminska
Kaua'i

Aloha Chair Chun, Vice Chair Kusch, and Members of the House Agriculture & Food Systems Committee,

The Hawai'i Farmers Union is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFU supports HB2596.**

HB2596 addresses a critical biosecurity gap by institutionalizing the Hawaii-Pacific Weed Risk Assessment (HPWRA) through a mandatory retail labeling system. Invasive plants currently threaten our native watersheds and the economic viability of family farms by increasing land management costs.

While HFU supports the transparency provided by a color-coded labeling system, we seek to ensure that the regulatory burden does not disproportionately impact small-scale commercial nurseries and family farmers. The current "noncommercial" exemption in Section 2(e) protects hobbyists but leaves smallholders who sell plants to support their livelihoods vulnerable to the costs of new labeling mandates and the risk of civil fines.

To protect small-scale producers from administrative costs and to ensure the Department of Agriculture focuses on education before litigation, HFU proposes the following amendments to Section 2:

"§150A- Invasive plants; weed risk assessment; labeling.

(c) The invasive species council shall develop a universal, color-coded label that indicates a plant species' weed risk assessment, ranging from "Least Invasive" to "Most Invasive". The invasive species council shall provide the digital templates and, upon request, physical labeling materials to retail sellers at no cost. The label shall be displayed on each plant sold or offered for sale alongside the sticker or tagged affixed to the plant pursuant to subsection

(f) Notwithstanding section 150A-14 to the contrary, any person who violates any provision of this section or any rule adopted pursuant to this section shall be subject to a fine of no less than \$100; provided that for a first-time violation, the department shall issue a written warning and provide educational materials regarding compliance in lieu of a fine. Any action taken to impose or collect the fine provided for in this subsection shall be considered a civil action."

Mahalo for the opportunity to testify.

Hunter Heavilin
Advocacy Director
Hawai'i Farmers Union

LATE

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(808) 933-3340
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Feb 4, 2026 House Committee on Agriculture and Food Systems Hearing
RE: HB2596

Aloha Chair Chun, Vice Chair Kusch, and members of the committee,

On behalf of the Big Island Invasive Species Committee (BIISC), I write in strong support of HB2596, which would require commercial plant sellers to provide information on the invasiveness risk of plant species and direct the Hawai'i Invasive Species Council (HISC) to develop a standardized plant labeling system based on weed risk assessments.

Hawai'i has been called the invasive species capital of the world, and with good reason: approximately 90% of invasive plants in Hawai'i were imported intentionally, primarily through horticulture. At the same time, surveys show that roughly 90% of Hawai'i Island residents would not purchase a plant if they knew it was invasive. This highlights a clear disconnect between consumer values and the information currently available at the point of sale.

Horticulture remains one of the most significant pathways for the introduction of invasive plants. Fortunately, we already have a highly effective, science-based tool to address this problem: the Hawai'i-Pacific Weed Risk Assessment (HPWRA). This system evaluates 49 questions related to a plant's invasion history, biology, and dispersal mechanisms to predict invasion risk. It is approximately 90% accurate, widely used by researchers and practitioners, and publicly available through Plant Pono (plantpono.org).

Despite the availability of this science, regulation has not kept pace. Out of an estimated 350,000 flowering plant species worldwide, only 78 are currently regulated by the Hawai'i Department of Agriculture and Biosecurity. This gap has real-world consequences. For example, last year our community alerted BIISC that big-box retailers were selling the highly invasive Australian tree fern, even as conservation practitioners were actively working to control its spread into what were once intact native forests. BIISC staff repeatedly contacted store managers, but because the species was legal for sale, retailers declined to remove it from their shelves.

A clear, color-coded labeling system displaying a plant's weed risk assessment would empower consumers to make informed choices for their yards and for the 'āina. By shifting consumer behavior, this bill would influence supply and demand and ultimately reduce the availability of invasive plants in the marketplace—without requiring outright bans.

This Legislature has demonstrated strong leadership in addressing invasive species and strengthening biosecurity in Hawai'i. HB2596 is a practical, science-based step that aligns public values with environmental protection. We respectfully urge this committee and the full Legislature to support and pass this bill.

Mahalo for your consideration.

Franny Brewer
Program Manager

Molly Murphy
Invasive Plant Prevention Specialist



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February 4, 2026

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

TESTIMONY ON HB 2596
RELATING TO PLANTS

Conference Room 325 & Videoconference
9:00 AM

Aloha Chair Chun, Vice-Chair Kusch, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate, and advance the social, economic, and educational interests of our diverse agricultural community.

The Hawai'i Farm Bureau provides comments on HB 2596, which requires persons who sell or offer plants for sale at retail to provide information on the risk of invasiveness of the plant species, requires the Hawai'i Invasive Species Council to develop a labeling system for plants that displays the plants' weed risk assessments, and establishes fines for violations.

HFB strongly supports invasive species prevention and biosecurity efforts and recognizes the importance of science-based tools and education to reduce the introduction and spread of invasive plants. Protecting Hawai'i's agricultural lands, natural resources, and watersheds from invasive species is a shared priority.

However, we have concerns with the approach proposed in HB 2596. The bill shifts from education-based outreach to a mandatory labeling and enforcement framework that places new compliance and enforcement burdens on plant sellers, many of whom are local nurseries and agricultural businesses. These businesses are already heavily regulated and have long been partners in invasive species prevention efforts.

We are particularly concerned that the use of universal, color-coded invasiveness labels and civil penalties may unintentionally stigmatize certain plants or agricultural products without adequate context regarding responsible cultivation and management. Many plants that may pose risks in unmanaged settings can be grown safely and responsibly under proper agricultural practices. Framing these plants solely through a risk label may confuse consumers and unfairly portray agricultural producers as contributors to invasive species problems.

HFB also notes that existing programs such as Plant Pono have demonstrated the value of voluntary, education-focused approaches that engage growers, retailers, and consumers collaboratively. Strengthening education, outreach, and technical assistance may be more effective than imposing mandatory labeling and fines, particularly for small, local businesses.

HFB respectfully encourages the Legislature to consider whether a continued emphasis on education, voluntary participation, and partnership with the agricultural and nursery industries may better achieve invasive species prevention goals without placing additional regulatory burdens on local producers.

Thank you for the opportunity to provide comments on this measure.

HB-2596

Submitted on: 2/2/2026 1:19:33 PM

Testimony for AGR on 2/4/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Keoni Shizuma	Individual	Support	Written Testimony Only

Comments:

This long overdue and I appreciate the introduction of this bill. Many plants in Hawaii's stores are invasive by their very nature, yet it continues to be sold, purchased, and installed in environments that these plants thrive and destroy our ecosystem. The invasive species councils should not only create signage for the biggest threats, but for those of medium threat as well, as they can take over populations and environments where native plants should be.

mahalo for your consideration,
Keoni Shizuma

HB-2596

Submitted on: 2/2/2026 2:42:21 PM

Testimony for AGR on 2/4/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Joshua Ishigaki	Individual	Support	Written Testimony Only

Comments:

Bill #:HB2596

Description HB2596

Title: RELATING TO PLANTS.

Description: Requires persons who sell or offer plants for sale at retail to provide information on the risk of invasiveness of the plant species. Requires the Invasive Species Council to develop a labeling system for plants that displays the plants' weed risk assessments. Establishes fines for violations—effective 1/1/2027.

Report Title: Department of Agriculture and Biosecurity; Invasive Species Council; Invasive Plant Species; Labeling; Weed Risk Assessment
2026

Introduced by: KUSCH, AMATO, CHUN, EVSLIN, GRANDINETTI, HARTSFIELD, KAHALOA, KAPELA, KEOHOKAPU-LEE LOY, KILA, KITAGAWA, MARTEN, MIYAKE, MORIKAWA, PERRUSO, POEPOE, TAM, TARNAS

Current Referral: AGR, CPC, JHA

As a resident of Oahu, I think it is vital to maintain the balance of our fragile ecosystem. An important step in maintaining our ecosystem is making sure the public is aware of its effects on it. I have purchased many non-native plants from stores, and almost none share their impact or potential impacts on the environment.

For example, many non-native animals are often sold with warnings of the consequences of release into the wild, such as fish and tortoises, while plants are not. They may not have an immediate effect on the environment, but they still do. One example of this is the Strawberry Guava plant, which perfectly suits our tropical environment and even outcompetes our native plants, such as the Ohia tree. Many other non-native plants could also fit our tropical environment just as well to outcompete native wildlife. For these reasons, this is why I am in full support of this bill. Thank you for this opportunity to testify.

HB-2596

Submitted on: 2/3/2026 8:58:14 AM

Testimony for AGR on 2/4/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Chuck Chimera	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Chun, Vice Chair Kusch, and Members of the Committee on Agriculture & Food Systems:

Mahalo for the opportunity to submit testimony in strong support of H.B. 2596. We appreciate your leadership on issues vital to Hawai‘i’s food security, natural resources, and biosecurity.

Invasive plants are among the top drivers of extinction for our native species, degrade our watersheds—impacting both water quantity and quality—and directly compete with agricultural and culturally vital plants. Once established, they create a perpetual, costly burden for our farmers, land stewards, and communities.

The core problem is an information gap. Our primary regulatory tool, the Noxious Weed List, has not been comprehensively updated since 1992. Consequently, many high-risk invasive species are still legally sold, often planted by well-intentioned residents unaware of their harm. We are, in effect, using a 30-year-old map to navigate today’s biosecurity threats.

H.B. 2596 offers a proactive, 21st-century solution. By requiring clear, point-of-sale labeling based on the respected, science-based Hawai‘i-Pacific Weed Risk Assessment and the existing Plant Pono program, this bill empowers consumers without resorting to outright bans or placing significant new burdens on retailers. It turns every plant buyer into an informed partner in prevention.

This is a balanced approach:

- For Consumers: It provides simple, color-coded information to make ‘āina-friendly choices.
- For Retailers: It builds on a voluntary program many already use, creating a level playing field and demonstrating their commitment to stewardship.
- For Hawai‘i: It focuses on prevention—the most cost-effective strategy—protecting our agriculture, ecosystems, and way of life.

Importantly, the bill is flexible, exempting non-commercial growers and creating a pathway for new plants to be assessed. This is not about limiting choice, but about ensuring our choices align with our values and the health of our islands.

As a botanist working in conservation for over 30 years, I have seen the devastating impact of invasive plants. Too often, I can trace a serious infestation back to a species that was legally sold but carried a hidden, costly consequence—a consequence H.B. 2596 is designed to prevent through simple transparency.

For these reasons, I strongly support H.B. 2596 and respectfully urge you to pass this measure out of committee. It is a critical step toward a more resilient and pono future for Hawai'i.

Mahalo for your consideration and your service.

Respectfully,

Chuck Chimera
Honoka'a, Hawai'i