
A BILL FOR AN ACT

RELATING TO LEI.

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

1 SECTION 1. The legislature finds that the lei is an
2 important cultural, social, and economic expression of Hawaii
3 and Native Hawaiian traditions. Lei made using a wide variety
4 of plant materials, flowers, seeds, shells, and other natural or
5 cultural components, are worn and shared in ceremonies,
6 celebrations, and daily life throughout the State.

7 The legislature further finds that the growing
8 commercialization of lei and lei materials has led to increased
9 use of imported plant materials and manufactured components that
10 are marketed using Hawaiian language, imagery, and place names,
11 which may mislead consumers and undermine local growers, lei
12 makers, and cultural practitioners.

13 Accordingly, the purpose of this Act is to:

14 (1) Require and establish benchmarks for each state
15 executive agency to ensure that a certain percentage
16 of lei purchased by that executive agency consists of



1 lei made of natural objects and plant materials grown,
 2 harvested, and assembled in the State; and
 3 (2) Establish labeling requirements for lei and lei
 4 materials.

5 SECTION 2. Chapter 103D, Hawaii Revised Statutes, is
 6 amended by adding a new section to part IV be appropriately
 7 designated and to read as follows:

8 "§103D- Lei; material grown, harvested, or assembled
 9 outside of the State; purchasing requirements. (a) Each state
 10 executive agency shall ensure that:

- 11 (1) By December 31, 2032, per cent of lei purchased;
- 12 (2) By December 31, 2037, per cent of lei purchased;
- 13 and
- 14 (3) By December 31, 2042, per cent of lei purchased,
 15 shall be made of natural objects and plant materials grown,
 16 harvested, and assembled in the State.

17 (b) Beginning , no state executive agency shall
 18 purchase any lei containing plant material grown and harvested
 19 outside of the State.



1 (c) This section shall apply to any purchase of lei made
2 by a state executive agency, including small purchases made
3 under section 103D-305.

4 (d) This section shall not apply to the string, thread, or
5 ribbon used to make lei.

6 (e) For the purposes of this section:

7 "Plant materials" includes leaves, ferns, flowers, vines,
8 and seeds.

9 "State executive agency" means any department, office,
10 board, or commission of the executive branch of the State,
11 including any administratively attached bodies."

12 SECTION 3. Chapter 486, Hawaii Revised Statutes, is
13 amended by adding a new section to part V to be appropriately
14 designated and to read as follows:

15 **"§486- Lei; lei materials; labeling requirements;**
16 **documentation; penalties.** (a) No person shall keep, offer,
17 display or expose for sale, or solicit for the sale of any lei
18 or lei materials that are labeled with the term "Hawaii Grown",
19 or any variation of that term, unless the direct material costs
20 of plant materials and natural objects, including shells, that
21 were cultivated or harvested within the State comprise at least



1 ninety per cent of the total direct material costs of the lei or
2 lei materials.

3 (b) No person shall display or expose for sale, or solicit
4 the sale of, any lei or lei materials unless the geographic
5 origin of each plant material and natural object, including
6 shells, is disclosed.

7 For purposes of this subsection, "geographic origin" means
8 a state or territory of the United States or a foreign country.

9 (c) No person shall keep, offer, display or expose for
10 sale, or solicit the sale of, any lei or lei materials that are
11 labeled with the term "Hawaii Made" unless the lei meets the
12 requirements of section 201-3.5.

13 (d) A person who keeps, offers, displays or exposes for
14 sale, or solicits the sale of any lei or lei materials labeled
15 with the terms "Hawaii Grown" or "Hawaii Made", or any variation
16 of these terms, shall provide documentation demonstrating
17 compliance with the labeling requirements of this section to the
18 administrator upon request.

19 (e) A person or the department may bring an action for
20 injunctive relief against a person who is not in compliance with
21 the requirements of this section.



1 (f) Any person who violates this section shall be subject
2 to penalties imposed pursuant to section 486-32.

3 (g) This section shall not apply to the string, thread, or
4 ribbon used to make lei.

5 (h) For the purposes of this section, "lei" means a
6 garland, wreath, or ornament traditionally worn or presented,
7 made from plant materials, including but not limited to leaves,
8 ferns, flowers, vines, and seeds; natural objects, including
9 shells; or manufactured components."

10 SECTION 4. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 5. New statutory material is underscored.

14 SECTION 6. This Act shall take effect on July 1, 3000.



Report Title:

Procurement; Lei; Benchmarks; Lei Materials; Labeling
Requirements; Penalties

Description:

Requires and establishes benchmarks for each state executive agency to ensure that a certain percentage of lei purchased by that executive agency consists of lei made of natural objects and plant materials grown, harvested, and assembled in the State. Establishes labeling requirements for lei and lei materials. Requires the disclosure of the geographic origin for the plant materials and natural objects that comprise a lei or lei materials. Effective 7/1/3000. (HD2)

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

