

ACT 73

H.B. NO. 1134

A Bill for an Act Relating to Indigenous Species of Plants.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Pursuant to chapter 195D, the legislature recognized that many plant species indigenous only to Hawaii have become or are in danger of becoming extinct primarily because of increased land use resulting in disturbance of native ecosystems.

These indigenous species are an important component of Hawaii's native ecosystems and part of Hawaii's living heritage. Native Hawaiian culture, to a significant degree, is intertwined and dependent on certain indigenous plants, many of which have unique scientific, medicinal, educational, environmental, and economic value.

The legislature is firm in its commitment to protect Hawaii's indigenous plant species and is prepared to take affirmative action to ensure their survival.

In this regard, the legislature finds that carefully monitored release of Hawaii's indigenous land plant species for use in landscaping will heighten public awareness and promote public appreciation of the impending horticultural holocaust. Use in landscaping will also promote needed research on care and propagation.

The purpose of this Act is to encourage the propagation of Hawaii's indigenous species of land plants by requiring that they be employed, where feasible, in the landscaping of public buildings, facilities, and housing projects developed by the State. In so doing, it is also the purpose of this Act to foster public awareness and appreciation of these land plants through labelling and identification in the landscaped environments.

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

"§103- Indigenous plants; use in public landscaping. (a) Wherever and whenever feasible, all plans, designs, and specifications for new or renovated landscaping of any building, complex of buildings, facility, complex of facilities, or housing developed by the State with public moneys shall incorporate indigenous land plant species as defined in section 195D-2; provided that suitable species can be transplanted or otherwise made available for this purpose without jeopardizing other species or any natural habitat; and provided further that wherever and whenever possible, indigenous land plants shall be used for landscaping on the island or islands on which the species originated.

(b) Each indigenous plant or group of plants used pursuant to subsection (a) shall be clearly identified with appropriate signs for the edification of the general public.

(c) The department shall adopt rules pursuant to chapter 91 appropriate to carry out the purposes of this section."

SECTION 2.¹ New statutory material is underscored.²

SECTION 3.¹ This Act shall take effect upon its approval.

(Approved May 27, 1992.)

Notes

1. So in original.

2. Edited pursuant to HRS §23G-16.5.