STAND. COM. REP. NO. 198 -10

Honolulu, Hawaii **Fe G 8**, 2010 RE: H.B. No. 1684 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Sir:

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Your Committee on Judiciary, to which was referred H.B. No. 1684, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INVASIVE SPECIES,"

begs leave to report as follows:

The purpose of this bill is to prevent and reduce the intentional introduction and spread of invasive species by:

- Establishing a petty misdemeanor offense for any person that violates the provisions governing importation of certain live organisms into the state;
- (2) Reducing the maximum fines for the petty misdemeanor offense as follows:
 - (A) For the first offense, from \$10,000 to \$5,000; and
 - (B) For a second offense committed within five years of a prior offense, from \$25,000 to \$15,000;

and

(3) Establishing a class C felony offense for intentionally importing, possessing, harboring, transferring, or transporting, including through interisland or intraisland movement, any pest designated by statute or rule unless otherwise allowed by law.



State of Hawaii House of Representatives The Twenty-fifth Legislature

HSCR 198-0

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: Committee Referral: Date: HB1684, HD1 AGR/EEP, JUD 1/2-6/10				
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)				
2. ITO, Ken (VC)	V			
3. BELATTI, Della Au				
4. CABANILLA, Rida				V
5. CARROLL, Mele				
6. HERKES, Robert N.				1
7. LUKE, Sylvia				
8. McKELVEY, Angus L.K.	~		_	
9. MIZUNO, John M.	~			
10. MORITA, Hermina M.				
11. OSHIRO, Blake K.	V			
12. SOUKI, Joseph M.				
13. TSUJI, Clift				
14. WAKAI, Glenn	V			
15. MARUMOTO, Barbara C.	~			
16. THIELEN, Cynthia			1	
	-			
	1			
		1		
				8
TOTAL (16)	10	0	0	6
The recommendation is: Adopted Not Adopted If joint referral, If joint referral, If joint referral, Genemities acronym(s) did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				

The Department of Agriculture, Office of Hawaiian Affairs, The Nature Conservancy of Hawaii, University of Hawaii Environmental Center, and Hawaii Audubon Society supported this measure.

Your Committee amended this measure by:

- (1) Reducing the minimum fines for the petty misdemeanor offense as follows:
 - (A) For the first offense, from \$100 to \$50; and
 - (B) For a second offense committed within five years of a prior offense, from \$500 to \$250;
- (2) Lowering the class C felony fines from not less than \$100,000 but not more than \$400,000 to not less than \$50,000, and not more than \$200,000, respectively;
- (3) Changing the effective date to December 21, 2058, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1684, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1684, H.D. 2.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

