

Honolulu, Hawaii

MAR 19 2010

RE: H.B. No. 1684
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian
Affairs, to which was referred H.B. No. 1684, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish and revise the
penalties for the intentional introduction and spread of invasive
species.

Specifically, this measure:

- (1) Changes a violation of the importation of live organism
requirements, as codified in section 150A-5, Hawaii
Revised Statutes, from a civil penalty to a petty
misdemeanor, and reduces the minimum and maximum fines;
- (2) Establishes the intentional introduction and spread of
invasive pests, as designated by statute or rule, as a
class C felony; and
- (3) Expands the "intent to propagate" presumption to include
pests designated by statute or rule.

Testimony in support of this measure was submitted by two
state agencies, three organizations, and one individual. One
organization supports the intent. Written testimony presented to
the Committee may be reviewed on the Legislature's website.



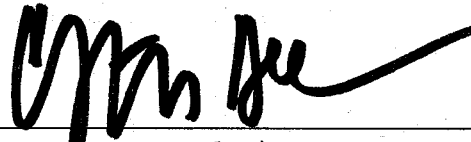
The Hawaiian Islands make up less than 0.2 per cent of the land area of the United States, but support more than thirty per cent of the nation's species listed under the Endangered Species Act. Our islands have suffered the highest rates of extinction of any area in the United States, and one of the highest rates anywhere in the world. The primary agent of this loss of native biodiversity has been the massive introduction by humans of alien species to the Hawaiian Islands. Your Committee finds that greater penalties for the intentional introduction and spread of invasive species will serve as a deterrent to future violators.

Your Committee has amended this measure by:

- (1) Adopting the recommendations of the Department of Agriculture to clarify the parameters of the intentional introduction and spread of pests; and
- (2) Making technical, nonsubstantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1684, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1684, H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Agriculture, and Hawaiian
Affairs,



CLAYTON HEE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Water, Land, Agriculture and Hawaiian Affairs
WTL

Bill / Resolution No.:* HB 1684 HD 2	Committee Referral: WTL, JGG	Date: 3/15/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
TOKUDA, Jill N. (VC)				/
BUNDA, Robert	/			
FUKUNAGA, Carol	/			
KOKUBUN, Russell S.	/			
TAKAMINE, Dwight Y.				/
HEMMINGS, Fred				/
TOTAL	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">Rumeeus Kohl</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

***Only one measure per Record of Votes**