### HOUSE OF REPRESENTATIVES TWENTY-EIGHTH LEGISLATURE, 2015 STATE OF HAWAII

# H.B. NO. (41

## A BILL FOR AN ACT

RELATING TO CONSERVATION OF RESOURCES.

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

1	SECTI	ION 1. Chapter 183, Hawaii Revised Statutes, is
2	amended by	y adding a new part to be appropriately designated and
3	to read as	s follows:
4		"PART
5		SANDALWOOD
6	§183-	-A Duties; sandalwood. In addition to the duties
7	listed in	section 183-1.5, the department shall:
8	(1)	Support reforestation efforts throughout the State for
9		all native sandalwood species with the objective of
10		replenishing native sandalwood species forests to the
11		level at which those forests existed prior to 1800;
12	(2)	Provide incentives to local entrepreneurs to cultivate
13		native sandalwood species in plantations for either
14		reforestation programs or commercial operations;
15	(3)	Provide support for programs that ensure the
16		sustainability of commercial sandalwood operations in
17		the State; and



1

### H.B. NO. 647

(4) Enforce penalties against persons who violate this
 part.

3 §183-B Destruction or harvesting of sandalwood trees. (a)
4 It shall be unlawful to destroy or harvest a tree of a native
5 sandalwood species that is determined by the department to have
6 been in existence prior to the year 1778.

7 (b) It shall be unlawful to destroy or harvest a tree of a
8 native sandalwood species not described in subsection (a)
9 without a license issued by the department.

(c) Any person who destroys or harvests a native
sandalwood species tree shall replant native sandalwood species
trees in an amount equal to the total estimated age of all trees
destroyed or harvested; provided that the department shall
monitor the replanting efforts and the success rate of the
seedlings that are replanted.

16 (d) It shall be unlawful to export raw or unprocessed17 timber of any native sandalwood species outside the State.

18 §183-C Fees. (a) Any person licensed pursuant to section
19 183-B(b) who harvests trees of a native sandalwood species for
20 commercial purposes shall pay to the department a fee equal to



2

### H.B. NO. 647

1 per cent of the dollar value of the sandalwood and any 2 resulting sandalwood products. 3 (b) All fees collected pursuant to subsection (a) shall be 4 deposited in the treasury of the State for use by the department 5 for forestry purposes, and all such sums as may be so collected 6 and deposited are appropriated for those purposes. 7 **§183-D** Criminal penalties. Any person who violates section 183-B, upon conviction thereof, is guilty of a 8 9 misdemeanor and shall be fined not more than \$ or 10 imprisoned not more than one year, or both. In addition to any 11 other penalty imposed under this section, a fine of up to shall be levied for each tree illegally destroyed or 12 \$ 13 harvested under section 183-B." 14 SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were 15 16 begun before its effective date.

17 SECTION 3. This Act shall take effect on July 1, 2015.

18

INTRODUCED BY:

JAN 2 3 2015



### H.B. NO. 647

#### Report Title:

Sandalwood; Department of Land and Natural Resources

#### Description:

Establishes penalties for the destruction or harvesting of native sandalwood trees. Requires replanting for trees harvested. Bans the export of raw or unprocessed native sandalwood timber. Establishes Department of Land and Natural Resources policies regarding sandalwood.

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

