

Honolulu, Hawaii

Feb 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:

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:

- (1) 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.





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,

  
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JON RIKI KARAMATSU, Chair

