

JAN 25 2012

A BILL FOR AN ACT

RELATING TO CONSERVATION AND RESOURCES.

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

1 SECTION 1. Chapter 183, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as 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 that 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 (4) Enforce penalties against persons who violate this
2 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.

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

16 (d) It shall be unlawful to export raw or unprocessed
17 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

21 per cent of the dollar value of the sandalwood or
22 sandalwood products harvested or sold.



1 (b) All fees collected pursuant to subsection (a) shall be
2 deposited in the treasury of the State for use by the department
3 for forestry purposes and all such sums as may be so collected
4 and deposited are appropriated for those purposes.

5 §183-D Criminal penalties. Any person who violates
6 section 183-B, upon conviction thereof, is guilty of a
7 misdemeanor and shall be fined not more than \$ or
8 imprisoned not more than one year, or both. In addition to any
9 other penalty imposed under this section, a fine of up to
10 \$ shall be levied for each tree illegally destroyed or
11 harvested under section 183-B."

12 SECTION 2. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

15 SECTION 3. This Act shall take effect on July 1, 2012.

16

INTRODUCED BY:

[Handwritten signatures]
Michelle Tedani
[Signature]
Clarence K. Enchikhan
[Signature]
Fuh emaga
[Signature]

[Handwritten signature]
[Signature] Will Grew
[Signature] Randy L. Pak
Theranne Chun Auldard
[Signature] Will D. W.



S.B. NO. 3028

Report Title:

Sandalwood; DLNR

Description:

Establishes penalties for the destruction or harvesting of native sandalwood trees. Requires replanting for trees harvested. Bans the export of raw or unprocessed sandalwood timber. Establishes DLNR 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.

