
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 . FOREST RESOURCES IN NEED OF CONSERVATION

5 §183-A Definitions. As used in this part:

6 "Harvest permit" means a permit issued by the department of
7 land and natural resources to destroy, harvest, or export for
8 commercial purposes any material of a forest resource, living or
9 dead, that is deemed in need of conservation.

10 "Hawaiian sandalwood" means the Santalum species endemic to
11 the islands of Hawaii including but not limited to Santalum
12 ellipticum, S. freycinetianum, S. haleakalae var. haleakalae and
13 haleakalae var. lanaiense, and S. paniculatum var. paniculatum
14 and S. paniculatum var. pilgeri.

15 "Native forest resources deemed in need of conservation"
16 means those forest species identified by the board as currently
17 in decline and in need of conservation.



1 §183-B Native forest resources deemed in need of
2 conservation; duties. In addition to duties listed in section
3 183-1.5, the department shall:

4 (1) Support reforestation efforts throughout the State for
5 all native forest resources deemed in need of
6 conservation;

7 (2) Support the sustainable management and use of native
8 forest resources throughout the State;

9 (3) Identify and protect native forest resources deemed in
10 need of conservation for sustainable management and
11 conservation of those species and ecosystems;

12 (4) Establish rules for designating forest resources in
13 need of conservation and establish rules regarding the
14 issuance of permits for commercial harvest of forest
15 resources deemed in need of conservation;

16 (5) Provide incentives to local entrepreneurs to cultivate
17 native species, especially those deemed in need of
18 conservation, for reforestation programs or
19 sustainable commercial operations; and

20 (6) Provide support for programs that ensure the
21 sustainability of commercial operations for forest
22 resources deemed in need of conservation in the State.

1 §183-C Harvesting of native forest resources deemed in
2 need of conservation. (a) All commercial harvesting of native
3 forest resources deemed in need of conservation on all lands
4 shall be done in accordance with a harvest permit approved by
5 the board, and in accordance with the provisions regarding
6 conservation of aquatic life, wildlife, and land plants and the
7 provisions regarding environmental compliance.

8 (b) It shall be unlawful to harm, destroy, or harvest any
9 material of a forest resource, living or dead, deemed in need of
10 conservation for commercial purposes without a harvest permit
11 issued by the board.

12 (c) It shall be unlawful to export any material of forest
13 resource, living or dead, outside of the State for commercial
14 purposes except as granted under a harvest permit issued by the
15 board.

16 (d) Native Hawaiian sandalwood, including all Santalum
17 species endemic to Hawaii, is hereby deemed a forest resource in
18 need of conservation.

19 (e) The department shall adopt rules pursuant to chapter
20 91 to effectuate the purposes of this section.

21 §183-D Permits. (a) Pursuant to chapter 91 and based on
22 a harvest and reforestation plan, the department shall adopt



1 rules regarding the issuance of a permit to destroy, harvest, or
2 export for commercial purposes any material of a forest
3 resource, living or dead, deemed in need of conservation,
4 pursuant to section 183-C(a). These rules shall specify the:

- 5 (1) Requirements to obtain a harvest permit;
- 6 (2) Duration of a harvest permit;
- 7 (3) Terms and conditions of a harvest permit; and
- 8 (4) Disqualifications that will prevent the approval of a
9 harvest permit.

10 (b) No harvest permit or license for the commercial
11 harvest or exportation outside of the State of any material of a
12 forest resources, living or dead, deemed in need of conservation
13 shall be issued by any officer or agency of the State without
14 the prior approval and concurrence of the board. In determining
15 whether to grant or withhold such approval, the board shall be
16 guided by the standards set forth in chapter 183.

17 **§183-E Fees.** (a) The board shall establish a processing
18 fee for permits issued for the harvest of forest resources
19 deemed in need of conservation. Such a permit will require an
20 approved harvest and reforestation plan by the board. The
21 process for the development and approval of plans and permits
22 will be defined in the rules.



1 (b) Fees collected for permits shall be deposited in the
2 forest stewardship fund established under section 195F-4 to
3 support forest management and restoration.

4 §183-F Criminal penalties. Any person who violates
5 section 183-C, upon conviction thereof, shall be guilty of a
6 misdemeanor and shall be fined not more than \$2,000, or
7 imprisoned not more than one year, or both. In addition to any
8 other penalty imposed under this section, fines and penalties in
9 accordance with sections 183-5 and 183-18 shall be levied for
10 each individual forest resource illegally harvested under
11 section 183-C. Fines collected pursuant to this section shall
12 be deposited into the forest stewardship fund established under
13 section 195F-4."

14 SECTION 2. Section 183-5, Hawaii Revised Statutes, is
15 amended by amending subsection (c) to read as follows:

16 "(c) In addition:

17 (1) A fine of up to \$10,000 per violation of section 183-
18 17 or 183-C may be levied for each destroyed or
19 harvested koa [~~tree~~] or sandalwood tree, or portion
20 thereof, larger than six inches in diameter at ground
21 level; and



1 (2) A fine of up to \$2,000 per violation of section 183-17
2 may be levied for each destroyed or harvested tree or
3 plant, other than koa[~~7~~] or sandalwood, or portion
4 thereof, larger than six inches in diameter at ground
5 level."

6 SECTION 3. This Act does not affect rights and duties that
7 matured, penalties that were incurred, and proceedings that were
8 began before its effective date.

9 SECTION 4. In codifying the new sections added by section
10 1 of this Act, the revisor of statutes shall substitute
11 appropriate section numbers for the letters used in designating
12 the new sections in this Act.

13 SECTION 5. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on July 1, 2050.

Report Title:

Sandalwood; DLNR

Description:

Establishes DLNR policies regarding sandalwood and designates sandalwood as a native forest resource in need of conservation. Requires a harvest permit for commercial harvesting of native forest resources. Establishes penalties for the destruction or harvesting of sandalwood trees. Effective 7/1/2050. (SD2)

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