

STAND. COM. REP. NO.

392

Honolulu, Hawaii

FEB 18 , 2021

RE: H.B. No. 1009  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1009 entitled:

"A BILL FOR AN ACT RELATING TO CERTAIN PENALTIES FOR VIOLATIONS OF SUBTITLE 4 OF TITLE 12, HAWAII REVISED STATUTES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Amend the additional fines and costs for destroying or harvesting trees or tree products, including koa, on state forest reserves lands;
- (2) Establish penalties for any person who violates vehicular parking or traffic movement rules adopted by the Department of Land and Natural Resources under forest reserves, water development, and zoning laws;
- (3) Authorize the State to pursue civil legal action and criminal action against a person violating forest reserves, water development, and zoning laws and rules;
- (4) Establish criminal penalties for violations of all forest reserves laws or rules; and

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- (5) Repeal the general penalty for violations of certain forestry and wildlife, recreation areas, and fire protection laws and rules.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and the Department of Land and Natural Resources' Division of Forestry and Wildlife.

Your Committee finds that this measure will allow the Department of Land and Natural Resources to more consistently and effectively address certain conservation and resource violations for the protection, preservation, and enhancement of public resources.

Your Committee has amended this measure by:

- (1) Precluding the State from pursuing further civil legal action to recover administrative fines, fees, and costs, including attorney's fees and costs, or monetary assessment, against a person fined for a traffic infraction under forest reserves, water development, and zoning laws; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1009, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1009, H.D. 1, and be referred to your Committee on Finance.



Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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MARK M. NAKASHIMA, Chair



