

Honolulu, Hawaii

March 4, 2016

RE: H.B. No. 2378

H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2378, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FOREST RESERVES VIOLATIONS,"

begs leave to report as follows:

The purpose of this measure is to enable the Department of Land and Natural Resources to more consistently and effectively address conservation and resource violations by:

- (1) Making any violation of Part II of Chapter 183, Hawaii Revised Statutes, or any rules adopted pursuant thereto, a criminal offense; and
- (2) Repealing section 183-4, Hawaii Revised Statutes.

The Department of Land and Natural Resources provided testimony in support of the measure.

Your Committee finds that the law only warrants a fine up to \$10,000 per Koa tree and \$2,000 for all other forest products. This fine does not discourage theft since the value of Koa and other forest products far exceeds this dollar amount.

Accordingly, your Committee has amended this measure by clarifying that the Board of Land and Natural Resources may set, charge, and collect fines based on the market value of the natural resource that is damaged and any other factor it deems

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appropriate, such as the loss of the natural resource to its natural habitat and environment and the cost of restoration or replacement.

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. 2378, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2378, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



