

Honolulu, Hawaii

April 5, 2006

RE: S.B. No. 951
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 951, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO FIRE PROTECTION,"

begs leave to report as follows:

The purpose of this bill is to protect forest and preservation lands from fire destruction by increasing the severity of penalties for individuals who intentionally set fires to lands under the jurisdiction of the Department of Land and Natural Resources (DLNR).

Specifically, this bill:

- (1) Establishes penalties for the setting of fires in these lands by providing:
 - (A) A fine for violators of \$2,500 to \$10,000; and
 - (B) That violators shall be guilty of criminal property damage;

and

- (2) Raises the severity of sanctions for individuals who discard burning materials or set fires in a closed fire area by applying the new penalties to this offense.



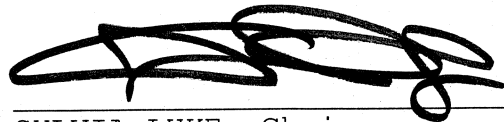
DLNR, the Department of Labor and Industrial Relations, Honolulu Fire Department, and the State Fire Council supported this bill. The Office of the Public Defender and the Department of the Prosecuting Attorney of the City and County of Honolulu offered comments.

Your Committee has amended this bill by replacing its contents with provisions that, among other things:

- (1) Include arson as a new class of property damage and defines four degrees of the offense of arson with appropriate sanctions; and
- (2) Change the effective date to January 1, 2096, to encourage further discussion.

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 S.B. No. 951, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 951, S.D. 2, H.D. 1.

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



SYLVIA LUKE, Chair



