

Honolulu, Hawaii

APRIL 27 , 2006

RE: S.B. No. 2358
S.D. 2
H.D. 2
C.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

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

Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2358, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PROTECTION OF FOREST RESERVES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to strengthen the overall management of Hawaii's forest reserves.

Specifically, this measure:

- (1) Provides procedures to establish and collect administrative fines for violations of forest reserve laws;
- (2) Increases the criminal fine for timber trespass in forest reserves and establishes an additional fine for every tree illegally destroyed or harvested;



- (3) Allows all revenue derived from forest reserves, including fines for violations; to be deposited into the Forest Stewardship fund; and
- (4) Allows conveyance tax revenues deposited into the fund to be used for the management of forest reserves, in addition to the Forest Stewardship Program.

Your Committee on Conference has amended this measure by:

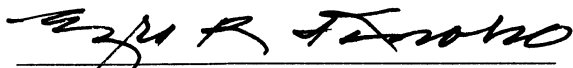
- (1) Allowing the Board of Land and Natural Resources or its authorized representative to bring legal action to recover administrative fines, fees, and costs; and
- (2) Clarifying that the exercise of native Hawaiian gathering rights and traditional practices as authorized by law or by permission from the department are both pursuant to Article XII, Section 7 of the Hawaii State Constitution.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2358, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2358, S.D. 2, H.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:


ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


EZRA R. KANOHO, Co-Chair


RUSSELL S. KOKUBUN, Chair


BLAKE K. OSHIRO, Co-Chair


COLLEEN HANABUSA, Co-Chair



