

JAN 24 2007

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# A BILL FOR AN ACT

RELATING TO PUBLIC LANDS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Chapter 171, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§171- Criminal penalties. (a) Any person found guilty  
5 of a violation of chapter 171 or any rules adopted thereunder  
6 shall be guilty of a petty misdemeanor and shall be punished as  
7 follows:

8 (1) For a first offense, by a mandatory fine of not less  
9 that \$100, or imprisonment of not more that thirty  
10 days, or both;

11 (2) For a second offense within five years of a previous  
12 conviction under this section, by a mandatory fine of  
13 not less that \$500, or imprisonment of not more than  
14 thirty days, or both; and

15 (3) For a third or subsequent offense within five years of  
16 a second conviction under this section, by a mandatory  
17 fine of not less than \$1,000, or imprisonment of not  
18 more than thirty days, or both.



1        (b) Any criminal action against a person for any violation  
2 under this section shall not be deemed to preclude the State  
3 from pursuing civil legal action to recover administrative fines  
4 and costs against the person. Any civil legal action against a  
5 person to recover administrative fines and costs for any  
6 violation of chapter 171 and rules adopted thereunder shall not  
7 be deemed to preclude the State from pursuing any criminal action  
8 against that person pursuant to this section."

9        SECTION 2. This Act does not affect rights and duties that  
10 matured, penalties that were incurred, and proceedings that were  
11 begun, before its effective date.

12        SECTION 3. New statutory material is underscored.

13        SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *Mike Rutland*

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*Robert Hume*



**Report Title:**

Public Lands; Criminal Penalties

**Description:**

Makes violation of chapter 171, relating to public lands and rules adopted thereunder a petty misdemeanor.

