

Honolulu, Hawaii

MAR 17 2008

RE: H.B. No. 3177
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred H.B. No. 3177, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT,"

begs leave to report as follows:

The purpose of this measure is to increase the maximum penalties for violations within the Conservation District under chapter 183C, Hawaii Revised Statutes, and authorize the Board of Land and Natural Resources to assess fines based on damages to any public lands or natural resources within the Conservation District and other factors deemed appropriate by the Board.

Testimony in support of this measure was submitted by the Sierra Club Hawai'i Chapter; Department of Land and Natural Resources; The Nature Conservancy of Hawai'i; Pahio Development, Inc.; and one individual.

Your Committee has amended this measure by:

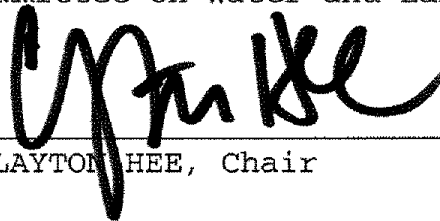
- (1) Increasing the maximum per violation fine from \$10,000 to \$20,000;
- (2) Increasing the maximum additional fine from \$10,000 to \$20,000 for each day a violation persists after receipt of notice of the violation from the Department of Land and Natural Resources;



- (3) Amending the effective date to July 1, 2008; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3177, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3177, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Water and Land,




CLAYTON HEE, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 3177, HD 1	WTL, JDL	03-12-08		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
FUKUNAGA, Carol				/
TOKUDA, Jill N.	/			
WHALEN, Paul	/			
TOTAL	4			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes