

STAND. COM. REP. NO.

3455

Honolulu, Hawaii

APR 04 2008

RE: H.B. No. 3178
S.D. 2

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

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 3178, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CIVIL PENALTIES FOR VIOLATIONS
ON PUBLIC LANDS,"

begs leave to report as follows:

The purpose of this measure is to increase civil penalty fine
amounts for violations of the State's natural resources laws
committed on public lands and to clarify penalties for
encroachment upon public lands.

Testimony in support of this measure was submitted by the
Department of Land and Natural Resources.

Your Committee finds that in recent years, there has been an
increase in the intentional violation of and blatant disregard for
state natural resources laws. Consequently, the State has been
under considerable strain in fulfilling its obligation to protect
Hawaii's natural resources for the benefit of all of its residents
and future generations, due to ineffective enforcement tools,
limited resources, and a shortage of enforcement personnel.
Existing civil penalties for most violations are nominal and do
not appear to deter such behavior effectively.

Your Committee finds that increasing penalties for civil
violations of the State's natural resources laws is an effective
means for deterring unlawful behavior by imposing serious
consequences for such violations.

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Your Committee has amended this measure by changing the effective date to July 1, 2050 to continue the discussions on this matter.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3178, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 3178, S.D. 2.

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



BRIAN T. TANIGUCHI, Chair



