



OFFICE OF HAWAIIAN AFFAIRS  
Legislative Testimony

**HB 3177, HD 1, RELATING TO PENALTIES FOR VIOLATIONS  
WITHIN THE CONSERVATION DISTRICT**  
House Committee on Finance

February 22, 2007

2:15 p.m.

Room: 308

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The Office of Hawaiian Affairs (OHA) **SUPPORTS, with amendments**, H.B. 3177, HD 1, which would increase the maximum penalties for violations that occur within the conservation district. If this bill is enacted, violators would face a fine of up to \$10,000 per infraction, an increase from the current \$2,000 maximum fine. In addition, people who continue to commit violations in the conservation district after receiving a notice would face an additional fine of up to \$10,000 per day per violation, up from the current maximum \$2,000 fine. The bill also gives the state Land Board flexibility to mete out fines based on the value of the natural resources that have been damaged as a result of the violation.

OHA has substantive obligations to protect the cultural and natural resources of Hawai'i for its beneficiaries, the people of this land. The Hawai'i Revised Statutes mandate that OHA "[s]erve as the principal public agency in the State of Hawaii responsible for the performance, development, and coordination of programs and activities relating to native Hawaiians and Hawaiians; . . . and [t]o assess the policies and practices of other agencies impacting on native Hawaiians and Hawaiians, and conducting advocacy efforts for native Hawaiians and Hawaiians." (HRS § 10-3)

OHA believes that the current penalties are not severe enough to deter people from violating state laws and rules regulating activities in the conservation district. We believe that giving this chapter more teeth will help preserve and protect the district that houses the state's most precious natural resources.

OHA urges the Committee to support H.B. 3177, HD 1, and to change the effective date from "January 1, 2112," back to "upon approval." Thank you for the opportunity to testify.