STAND. COM. REP. NO. Honolulu, Hawaii February 5, 2013 H.B. No. 939 RE:

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs, to which was referred H.B. No. 939 entitled:

"A BILL FOR AN ACT RELATING TO ENFORCEMENT OF VIOLATIONS BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES,"

beg leave to report as follows:

The purpose of this measure is to enhance the ability of the Board of Land and Natural Resources to address natural and cultural resource violations by providing the board with alternative civil enforcement options.

Specifically, this measure:

- Broadens the Board of Land and Natural Resources' ability to impose fines for violations of laws relating to natural and cultural resources and conservation; and
- (2) Authorizes the board, with regard to violators of natural or cultural resource laws, to:
 - (A) Impose natural or cultural resource-related community service in lieu of or in addition to administrative fines;
 - (B) Suspend or revoke any permit or license issued by the board, or deny applications for the issuance of the permit or license; and



STAND. COM. REP. NO. **17** Page 2

(C) Direct the counties to deny motor vehicle registration applications.

The Department of Land and Natural Resources, Office of Hawaiian Affairs' Committee on Beneficiary Advancement and Empowerment, and Nature Conservancy testified in support of this measure.

Your Committees find that by providing the Board of Land and Natural Resources broader powers to impose fines and apply alternative civil penalties, this measure will allow the board to more flexibly and effectively address violations of laws protecting the State's natural and cultural resources.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 939 and recommend that it pass Second Reading and be referred to the Committee on Judiciary.

> Respectfully submitted on behalf of the members of the Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs,



State of Hawaii House of Representatives The Twenty-seventh Legislature

HSCR77

Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB 939	Committee WA	Referral: L /OMH, JU	D, FIN	Date: 2/1/13	3			
□ The committee is reconsidering its previous decision on the measure.								
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)								
WAL Members		Ayes	Ayes (WR)) Nays	Excused			
1. EVANS, Cindy (C)		V						
2. LOWEN, Nicole E. (VC)		V.						
3. COFFMAN, Denny			·					
4. CULLEN, Ty J.K.		\checkmark						
5. HANOHANO, Faye P.		\checkmark						
6. KAWAKAMI, Derek S.K.								
7. LEE, Chris		V						
8. FALE, Richard Lee		\checkmark						
9. THIELEN, Cynthia		V						
		· · · ·						
TOTAL (9)		Ŷ	Ø	Ø	Ø			
The recommendation is: Adopted In Not Adopted If joint referral,								
Vice Chair's or designee's signature: Musile E R								
Distribution: Original (White) Committee Duplicate (Yellow) Chief Clerk's Office Duplicate (Pink) HMSO								

HSCR17

State of Hawaii House of Representatives The Twenty-seventh Legislature

Record of Votes of the Committee on Ocean, Marine Resources, & Hawaiian Affairs

Bill/Resolution No.: HB 939	Committee Referral: WAL/OMH5 JUD5 FIN			Date: 2/1/2013				
□ The committee is reconsidering its previous decision on the measure.								
The recommendation is to: Image: Pass, unamended (as is) Image: Pass, with amendments (HD) Image: Hold Image: Pass short form bill with HD to recommit for future public hearing (recommit)								
OMH Members		Ayes	Ayes (WF	R) Nays	Excused			
1. HANOHANO, Faye P. (C)		/						
2. CULLEN, Ty J.K. (VC)								
3. COFFMAN, Denny		/						
4. EVANS, Cindy		/						
5. KAWAKAMI, Derek S.K.		/						
6. LEE, Chris		\sim						
7. LOWEN, Nicole E.								
8. FALE, Richard Lee								
TOTAL (8)		8	Ø	Ø	×			
The recommendation is: Adopted Not Adopted If joint referral,								
Vice Chair's or designee's signature:								
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO								