

Honolulu, Hawaii

March 24, 2016

RE: S.B. No. 2451  
S.D. 2  
H.D. 2

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2451, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHAPTER 183, HAWAII REVISED STATUTES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Change the general administrative penalties for timber trespass in forest reserves to a fine of not more than the current market value of the Koa tree or other tree or plant destroyed or harvested;
- (2) Clarify that a person who violates the provisions of or rules related to the State's forest reserve laws is subject to imprisonment and escalating minimum fines and also clarify that a trespass in forest reserve violation is punishable as a misdemeanor; and
- (3) Repeal the general penalty provision in section 183-4, Hawaii Revised Statutes (HRS), related to chapters 183 to 185, HRS, as these chapters provide penalties for any violations.

The Department of Land and Natural Resources provided testimony in support of the measure. The Department of the Attorney General provided comments.

SB2451 HD2 HSCR JUD HMS 2016-2940-1



Your Committee has amended this measure by clarifying that the market value in determining the maximum administrative fine for destroying or harvesting a koa tree or other tree or plant, is to be determined as of the time of the violation, in addition to the location of the violation.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2451, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2451, S.D. 2, H.D. 2.

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



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KARL RHOADS, Chair



