

STAND. COM. REP. NO. 2424

Honolulu, Hawaii

FEB 19 2016

RE: S.B. No. 2451
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Water, Land, and Agriculture, to which was referred S.B. No. 2451 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify that any person who violates:
 - (A) Section 183-17, Hawaii Revised Statutes, timber trespass in forest reserves, shall be guilty of a misdemeanor; or
 - (B) A provision of part II of chapter 183, Hawaii Revised Statutes, forest reserves, or any rule adopted pursuant thereto, other than section 183-17, Hawaii Revised Statutes, shall be guilty of a petty misdemeanor; and
- (2) Repeal the general penalty provision in section 183-4, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.



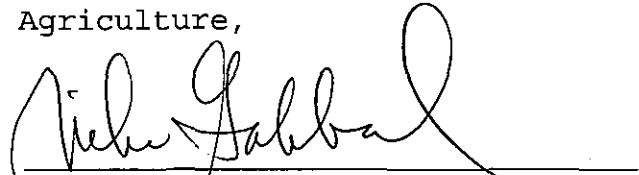
Your Committee finds that Hawaii's forest resources are precious and limited resources worthy of the State's protection. Currently, forest resource thefts are occurring on state lands. Your Committee further finds, as noted in the Department of Land and Natural Resources' testimony, that current statutory fines for the harvesting of koa trees and other trees and plants do not discourage theft because the current value of such forest products far exceeds the dollar amount of the fines.

Your Committee has therefore amended this measure by:

- (1) Inserting language to amend the administrative fines for destroying or harvesting koa trees and other trees and plants under section 183-5(c), Hawaii Revised Statutes, to be an amount less than or equal to the current market value of the koa tree or other tree or plant destroyed or harvested; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2451, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2451, S.D. 1, and be referred to your Committees on Judiciary and Labor and Ways and Means.

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



MIKE GABBARD, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Water, Land, and Agriculture
WLA

Bill / Resolution No.:*	Committee Referral:	Date:		
SB2451	WLA, JDL/WAM	02-17-16		
<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
GABBARD, Mike (C)	/			
NISHIHARA, Clarence K. (VC)	/			
DELA CRUZ, Donovan M.	/			
RIVIERE, Gil	/			
RUDERMAN, Russell E.	/			
SHIMABUKURO, Maile S.L.	/			
THIELEN, Laura H.	/			
WAKAI, Glenn				/
SLOM, Sam				/
TOTAL	7			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"><i>Clarence K. Nishihara</i></div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes