



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-EIGHTH LEGISLATURE, 2016**

ON THE FOLLOWING MEASURE:

S.B. NO. 2451, S.D. 1, RELATING TO CHAPTER 183, HAWAII REVISED STATUTES.

BEFORE THE:

SENATE COMMITTEES ON JUDICIARY AND LABOR AND ON
WAYS AND MEANS

DATE: Wednesday, February 24, 2016 **TIME:** 10:00 a.m.

LOCATION: State Capitol, Room 211

TESTIFIER(S): WRITTEN TESTIMONY ONLY.

(For more information, contact Lance Goto, Deputy Attorney General, at 586-1160)

Chairs Keith-Agaran and Tokuda and Members of the Committees:

The Department of the Attorney General submits comments and recommendations.

On page 1 of the bill, at lines 4 and 9, ceilings for administrative fines are set at "the current market value" of the tree or plant that is illegally destroyed or harvested. The Department respectfully recommends that the "current market value" provisions be clarified as being the "current market value at the time and place of the violation." With this clarification, an offender will be on notice as to the maximum possible fine at the time of the commission of the violation, and would not be surprised by a different fine amount based on the current market value at the time the fine is levied.

Thank you for the opportunity to submit comments.