

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 1256
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Water and Land and Transportation, to which was referred S.B. No. 1256 entitled:

"A BILL FOR AN ACT RELATING TO CERTAIN PENALTIES FOR VIOLATIONS OF SUBTITLE 4,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Amend the fines and clarify criminal penalties for destroying or harvesting trees or tree products, including koa, on state forest reserve lands and add criminal penalties for violating laws or rules relating to forest reserves;
- (2) Decriminalize traffic infractions within forest reserves and sets fine amounts; and
- (3) Repeal the general penalty provision in chapter 183, Hawaii Revised Statutes.

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

Your Committees find that the current fines for destroying or harvesting trees, including koa, on state forest reserve lands are



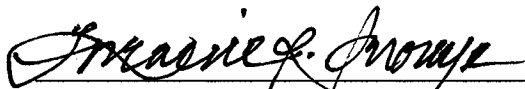
inadequate compared to the current market value of the trees and the costs associated with restoration or replacement of the trees and damages caused by their destruction or harvest. An adjustment in fines is warranted to deter the illegal harvesting and destruction of natural resources within state forest reserves. Your Committees further find that establishing a criminal penalty for certain conservation and resource violations strengthens the Department of Land and Natural Resources' enforcement capabilities and offers additional protection of the State's natural resources.

Your Committees have amended this measure by:

- (1) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1256, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1256, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Water and Land
and Transportation,



LORRAINE R. INOUE, Chair


KAIULANI KAHELE, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB1256	WTL/TRS, JDL/WAM	2/8/2019		
<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
KAHELE, Kaiali'i (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)				X
NISHIHARA, Clarence K.	X			
RIVIERE, Gil	X			
FEVELLA, Kurt	X			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Transportation
TRS

Bill / Resolution No.:* <i>SB 1256</i>	Committee Referral: <i>WTL/MRS. JDL/WAM</i>	Date: <i>2/8/19</i>		
<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
INOUYE, Lorraine R. (C)	✓			
HARIMOTO, Breene (VC)	✓			
ENGLISH, J. Kalani				✓
SHIMABUKURO, Maile S.L.	✓			
FEVELLA, Kurt	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Breene Harimoto</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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