

Honolulu, Hawaii
Feb 15, 2008

RE: H.B. No. 3176
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 3176 entitled:

"A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PENALTIES FOR DAMAGE TO STONY CORAL AND LIVE ROCK,"

begs leave to report as follows:

The purpose of this bill is to provide additional protections to our valuable reefs by establishing a more appropriate means of quantifying damage to living coral colonies and live rock. This bill directs the Board of Land and Natural Resources (BLNR) to impose administrative penalties for damages to stony coral and live rock on a "per square meter" basis in addition to a "per specimen" basis.

The Department of Land and Natural Resources, Office of Hawaiian Affairs, The Nature Conservancy of Hawaii, and several individuals testified in support of this bill. Ocean Tourism Coalition supported this measure with amendments.

With the prior concurrence of the Chair of your Committee on Water, Land, Ocean Resources & Hawaiian Affairs, your Committee has amended this bill by:

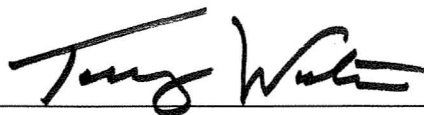
- (1) Requiring BLNR, in determining the fine to be assessed, to calculate the relative economic value of the damaged area;



- (2) Adding a definition for an "accepted economic valuation method"; and
- (3) Changing the effective date to January 1, 2112, to encourage further discussion.

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 H.B. No. 3176, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 3176, H.D. 1.

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



TOMMY WATERS, Chair



