

STAND. COM. REP. NO. 823 -08

Honolulu, Hawaii

Feb 29, 2008

RE: H.B. No. 3178

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

Sir:

Your Committee on Finance, to which was referred H.B. No. 3178 entitled:

"A BILL FOR AN ACT RELATING TO CIVIL PENALTIES FOR VIOLATIONS ON PUBLIC LANDS,"

begs leave to report as follows:

The purpose of this bill is to protect Hawaii's public lands by:

- (1) Establishing that any person causing an encroachment upon public lands is liable for administrative costs incurred by the Department of Land and Natural Resources (DLNR) and for payment of damages;
- (2) Increasing the current fine and establishing greater fines for subsequent violations for any person engaging in any prohibited use of public lands, conducting a prohibited activity on public lands, or violating other provisions of chapter 171, Hawaii Revised Statutes, for which a fine is not specified;
- (3) Authorizing the Board of Land and Natural Resources to, in addition to other remedies for natural resource damage or theft, set, charge, and collect a fine that is appropriate considering the value of the natural resource that is damaged or the subject of the theft; and

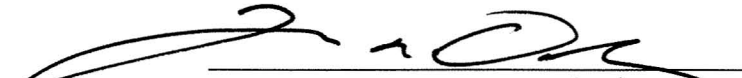


- (4) Providing an exemption to sanctions for persons exercising native Hawaiian gathering rights and traditional cultural practices as authorized by law or permitted by DLNR.

DLNR testified in support of this bill. A concerned individual offered comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3178 and recommends that it pass Third Reading.

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



MARCUS R. OSHIRO, Chair



**HS CR 823-08**

**Record of Votes of the Committee on Finance**

<b>Bill/Resolution No.:</b> <b>HB 3178</b>	<b>Committee Referral:</b> <b>FIN</b>	<b>Date:</b> <b>2-21-2008</b>
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The committee is reconsidering its previous decision on the measure.

**The recommendation is to:**  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  
 Pass short form bill with HD to recommit for future public hearing (recommit)

<b>FIN Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. OSHIRO, Marcus R. (C)	✓			
2. LEE, Marilyn B. (VC)	✓			
3. AWANA, Karen Leinani	✓			
4. BELATTI, Della Au	✓			
5. BROWER, Tom	✓			
6. CARROLL, Mele	✓			
7. HANOHANO, Faye P.	✓			
8. HAR, Sharon E.	✓			
9. KARAMATSU, Jon Riki	✓			
10. MAGAOAY, Michael Y.	✓			
11. MANAHAN, Joey	✓			
12. MIZUNO, John	✓			
13. NAKASONE, Bob	-			✓
14. RHOADS, Karl	✓			
15. SAGUM, Roland D., III	✓			
16. TOKIOKA, James Kunane	✓			
17. MEYER, Colleen Rose	✓			
18. PINE, Kymberly Marcos	✓			
19. WARD, Gene, Ph.D.	✓			
<b>TOTAL (19)</b>	<b>18</b>	<b>0</b>	<b>0</b>	<b>1</b>

**The recommendation is:**  Adopted  Not Adopted  
 If joint referral, \_\_\_\_\_ did not support recommendation.  
 committee acronym(s)

**Vice Chair's or designee's signature:** *Manif Bee*

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