
A BILL FOR AN ACT

RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION
DISTRICT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 183C-7, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 " (b) Any person violating this chapter or any rule adopted
4 in accordance with this chapter shall be fined not more than
5 [~~\$2,000~~] \$20,000 per violation in addition to administrative
6 costs [~~and~~], costs associated with land or habitat restoration,
7 [~~or both, if required,~~] and damages to [~~state~~] public land[-] or
8 natural resources, or any combination thereof. After written or
9 verbal notification from the department, wilful violation of
10 this [~~section~~] chapter or any rule adopted in accordance with
11 this chapter may incur an additional fine of up to [~~\$2,000~~]
12 \$20,000 per day per violation for each day in which the
13 violation persists. The board may set, charge, and collect the
14 fine based on the value of the natural resource that is damaged,
15 the market value of the natural resource damaged, and any other
16 factor it deems appropriate, such as the loss of the natural
17 resource to its natural habitat and environment and the cost of



1 restoration or replacement. The remedies provided for in this
2 subsection are cumulative and in addition to any other remedies
3 allowed by law."

4 SECTION 2. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect on July 1, 2008.



Report Title:

Conservation District Penalties

Description:

Increases the maximum penalty for violations within the conservation district; authorizes the board of land and natural resources to assess fines based on damages to natural resources within the conservation district and other factors deemed appropriate by the board. (SD1)

