

Honolulu, Hawaii

FEB 19 2016

RE: S.B. No. 2453

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Water, Land, and Agriculture, to which was referred S.B. No. 2453 entitled:

"A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES PENALTIES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Repeal the prohibition on suspension or waiver of fines for violations of certain aquatic resource laws;
- (2) Authorize the court to require a person who violates certain laws pertaining to aquatic resources to complete an aquatic resources educational class administered by the Department of Land and Natural Resources in lieu of or in addition to paying a monetary fine; and
- (3) Authorize the court to require a person who violates certain laws pertaining to aquatic resources to perform community service administered by the Department of Land and Natural Resources in lieu of paying a monetary fine.

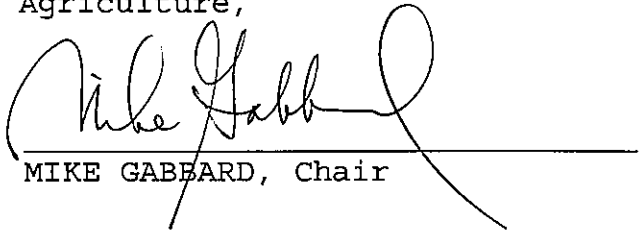
Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Judiciary, Office of Hawaiian Affairs, Hawaii's Thousand Friends, Conservation Council for Hawai'i, The Nature Conservancy of Hawai'i, Mālama Pūpūkea-Waimea, and five individuals. Your Committee received testimony in opposition to this measure from The Snorkel Bob Foundation and one individual.



Your Committee finds that educational programs and community service opportunities are effective sentencing alternatives to specifically address resource offenses and violators. Educational programs and community service opportunities deter future violations, enhance public knowledge about Hawaii's resources, and ensure that punishment for resource violations is appropriate. Your Committee further finds that an educational curriculum that provides a broad overview of aquatic resource statutes and regulations as well as information about closed seasons, restricted areas, and methods of extraction, already exists and would be easily implemented.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2453 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Labor and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, and
Agriculture,



MIKE GABBARD, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Water, Land, and Agriculture
WLA

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 2453</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">WLA, JDL / WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">02-17-16</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, unamended <small>2312</small></div> <div style="text-align: center;"><input type="checkbox"/> Pass, with amendments <small>2311</small></div> <div style="text-align: center;"><input type="checkbox"/> Hold <small>2310</small></div> <div style="text-align: center;"><input type="checkbox"/> Recommit <small>2313</small></div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	/			
NISHIHARA, Clarence K. (VC)	/			
DELA CRUZ, Donovan M.	/			
RIVIERE, Gil	/			
RUDERMAN, Russell E.	/			
SHIMABUKURO, Maile S.L.	/			
THIELEN, Laura H.	/			
WAKAI, Glenn				/
SLOM, Sam				/
TOTAL	7			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="font-size: 1.2em; font-family: cursive; margin-top: 10px;">Clarence K. Nishihara</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes