

Honolulu, Hawaii

APR 30 2009 , 2009

RE: S.B. No. 1259
S.D. 2
H.D. 2
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1259, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to amend chapter 128D, Hawaii Revised Statutes, in order to promote the cleanup and reuse of contaminated properties by:

- (1) Providing relief for bona fide prospective purchasers and innocent contiguous property owners from liability under chapter 128D, Hawaii Revised Statutes; and
- (2) Establishing consistency between state and federal laws after the passage of the federal Small Business Liability Relief and Brownfields Revitalization Act, P.L. 107-118.



Your Committee on Conference has amended this measure by:

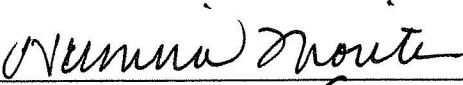
- (1) Conforming statutory references and citations to more closely mirror the federal statute;
- (2) Changing its effective date from "January 1, 2046" to "upon its approval"; and
- (3) Making a technical, nonsubstantive amendment for style and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1259, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1259, S.D. 2, H.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:


ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


HERMINA MORITA, Co-Chair


KEN ITO, Co-Chair


JON RIKI KARAMATSU, Co-Chair


MIKE GABBARD, Chair


BRIAN T. TANIGUCHI, Co-Chair



Hawaii State Legislature

CCR 78

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 1259, SD 2, HD 2	Date/Time: <i>4/29/09 3:25 pm</i>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
GABBARD, Mike, Chr.	✓	✓			MORITA, Hermina M., Co-Chr.	✓	✓		
TANIGUCHI, Brian T., Co-Chr.	✓	✓			ITO, Ken, Co-Chr.	✓	✓		
SLOM, Sam	✓	✓			KARAMATSU, Jon Riki, Co-Chr.	✓	✓		
					HAR, Sharon E.	✓	✓		
					THIELEN, Cynthia	✓	✓		
TOTAL	<i>2</i>	<i>-</i>	<i>-</i>	<i>1</i>	TOTAL	<i>5</i>	<i>-</i>	<i>-</i>	<i>-</i>

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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