CONFERENCE COMMITTEE REP. NO.

80

Honolulu, Hawaii APR 22 , 2021

RE: H.B. No. 1022 H.D. 1 S.D. 2 C.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1022, H.D. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE TAKING OF NATURAL RESOURCES,"

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:

(1) Clarify that any conservation and resources enforcement officer of the Department of Land and Natural Resources may, in the performance of their official duties, stop and temporarily detain any person who the officer reasonably believes is, or recently has been engaged in, hunting or fishing for a natural resource for the purposes of the officer conducting a limited inspection; and



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(2) Establish administrative penalties for refusing to comply with an inspection request, under certain conditions.

Your Committee on Conference has amended this measure by:

- Clarifying provisions to prohibit roaming administrative inspections of any member of the public's vehicle beyond a reasonable distance and clarifying the circumstances under which those inspections are allowed;
- (2) Deleting language that would have provided that items, natural resources, or other evidence obtained through an administrative inspection without probable cause may by used to pursue any civil and administrative penalties that are authorized by law;
- (3) Deleting provisions that specified that the administrative fines shall not apply to persons engaged in the proper and lawful exercise of traditional and customary Native Hawaiian rights for subsistence, religious, or cultural purposes;
- (4) Changing the effective date to upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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 H.B. No. 1022, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1022, H.D. 1, S.D. 2, C.D. 1.



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Respectfully submitted on behalf of the managers:

ON THE PART OF THE SENATE

LORRAINE R. INC

Chair

DRU KANUHA Co-Chair

KARL RHOADS Co-Chair ON THE PART OF THE HOUSE

NICOLE E. LOWEN Co-Chair

M.RK M. NAKASHIMA Co-Chair

LISA MARTEN Co-Chair

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Hawaii State Legislature

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Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 1022, HD 1, SD 2					Date/Time: 4/20/2021 2:30PM				
The recommendation of the House and Senate managers is to pass with amendments (CD).									
The Committee is reconsidering its previous decision.									
The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	Α	WR	N	E
INOUYE, Lorraine R., Chr.	\checkmark				LOWEN, Nicole E., Co-Chr.	~			
KANUHA, Dru Mamo, Co-Chr.	V				NAKASHIMA, Mark M., Co-Chr.				~
RHOADS, Karl, Co-Chr.				~	MARTEN, Lisa, Co-Chr.	V			
FEVELLA, Kurt			\checkmark		MATSUMOTO, Lauren	~			
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Senate Recommendation is:				House Recommendation is:					
Adopted D Not Adopted					Adopted Not Adopted				
Senate Lead Chair's or Designee's Signature:				House Lead Chair's or Designee's Signature:					
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Distribution: Original	Yellow Pink puse Clerk's Office Senate Clerk's Office	 I	Gold Drafting						