

Honolulu, Hawaii

**APR 29 2022**

RE: S.B. No. 2008  
S.D. 1  
H.D. 2  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2008, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAYS,"

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 the State and counties may only be held jointly and severally liable for acts or omissions relating to a condemned highway or trail that occurred after condemnation; and
- (2) Allow the State and counties to utilize flexibility in highway design regarding any condemned highway.

Your Committee on Conference finds that although the Legislature sought to address the problems caused by private roads



by passing Act 194, Session Laws of Hawaii 2016, further legislation is now needed to reduce impediments to state and county condemnation of private lanes. This measure will facilitate the condemnation, maintenance, and improvement of private highways and trails that are in disrepair by providing the State and counties with flexibility in the design of condemned private highways and trails and relieving the State and counties of liability for condemned highways and trails.

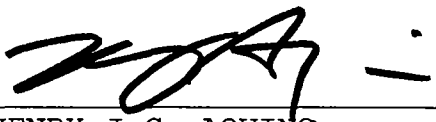
Your Committee on Conference has amended this measure by changing the effective date to upon its approval.

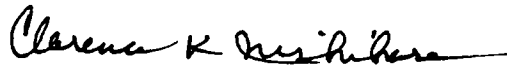
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2008, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2008, S.D. 1, H.D. 2, C.D. 1.

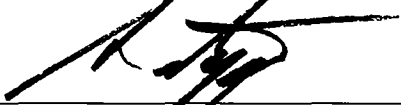
Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

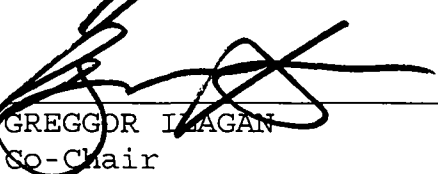
ON THE PART OF THE SENATE


  
HENRY J.C. AQUINO  
Co-Chair

  
CLARENCE K. NISHIHARA  
Chair

  
SCOT Z. MATAYOSHI  
Co-Chair

  
CHRIS LEE  
Co-Chair

  
GREGG D. MAGAN  
Co-Chair

  
KARL RHOADS  
Co-Chair



Record of Votes of a  
Conference Committee

Bill / Concurrent Resolution No.: <b>SB 2008, SD 1, HD 2</b>	Date/Time: <i>4/28/2022 9:02 am</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
NISHIHARA, Clarence K., Chr.	/				AQUINO, Henry J.C., Co-Chr.	/			
LEE, Chris, Co-Chr.	/		<i>0</i>		MATAYOSHI, Scot Z., Co-Chr.	/			
RHOADS, Karl, Co-Chr.	/				ILAGAN, Greggor, Co-Chr.	/			
RIVIERE, Gil	/				CLARK, Linda	/			
FEVELLA, Kurt	/				MATSUMOTO, Lauren	/			
<b>TOTAL</b>	<i>5</i>	<i>-</i>	<i>-</i>	<i>0</i>	<b>TOTAL</b>	<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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