

Honolulu, Hawaii

MAY 02 2023

RE: S.B. No. 1064
S.D. 2
H.D. 2
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
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. 1064, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO DAM AND APPURTENANCE SAFETY,"

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 establish the Dam and Appurtenance Improvement or Removal Grant Program to provide the owners of private dams and appurtenances with funds for plans, design, construction, and equipment to improve or remove deficient dams and appurtenances.

Your Committee on Conference finds that many privately owned dams and appurtenances -- often constructed during the plantation era -- have not been properly maintained and may be hazardous to public health and safety. Your Committee on Conference further finds that because the costs to improve or remove these deficient dams and appurtenances are often prohibitive, a grant program to



provide funding for these costs could provide a viable solution for both owners and the public. Therefore, this measure establishes the Dam and Appurtenance Improvement or Removal Grant Program.

Accordingly, your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Deleting the provision that would require grants awarded under the Dam and Appurtenance Improvement or Removal Grant Program to not exceed an unspecified amount;
- (3) Deleting the unspecified appropriation for fiscal year 2023-2024 and fiscal year 2024-2025 for the purposes of the Dam and Appurtenance Improvement or Removal Grant Program;
- (4) Inserting an appropriation in the amount of \$10,000,000 for fiscal year 2023-2024 as one-time seed funding for the Dam and Appurtenance Improvement or Removal Grant Program;
- (5) Inserting an appropriation in the amount of \$220,000 for fiscal year 2023-2024 and fiscal year 2024-2025 for operating expenses and the establishment of two full-time equivalent (2.0 FTE) permanent positions within the Department of Land and Natural Resources;
- (6) Inserting an effective date of July 1, 2023; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity 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. 1064, 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. 1064, 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



LINDA ICHIYAMA
Co-Chair



LORRAINE R. INOUE
Chair



RACHELE LAMOSAO
Co-Chair



GILBERT S.C. KEITH-AGARAN
Co-Chair



Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB/1064, SD 2, HD 2	Date/Time: <i>4/28/2023 5:19 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.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

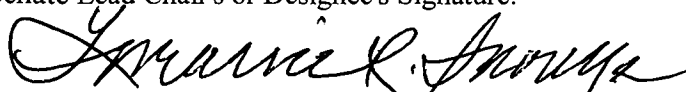
The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

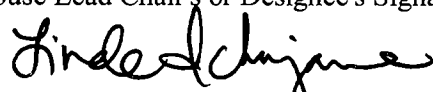
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
INOUE, Lorraine R., Chr.	✓				ICHIYAMA, Linda, Co-Chr.	✓			
KEITH-AGARAN, Gilbert S.C., Co-Chr.	✓				LAMOSAO, Rachele F., Co-Chr.	✓			
ELEFANTE, Brandon J.C.	✓				CHUN, Cory M.	✓			
					MORIKAWA, Dee	✓			
					SOUZA, Kanani	✓			
TOTAL	3	0	0	0	TOTAL	5	0	0	0

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

Senate Recommendation is:
 Adopted Not Adopted

House Recommendation is:
 Adopted Not Adopted

Senate Lead Chair's or Designee's Signature:


House Lead Chair's or Designee's Signature:


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