

Honolulu, Hawaii

APR 28 2023

RE: S.B. No. 1391
S.D. 1
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. 1391, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PENALTIES ON PUBLIC LANDS,"

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 authorize the Board of Land and Natural Resources to place a lien on a property for noncompliance with certain administrative enforcement actions related to land use violations and for certain unauthorized structures encroaching on public lands.

Your Committee on Conference finds that the Department of Land and Natural Resources has struggled to resolve problems related to encroaching erosion control structures that are typically unpermitted or have remained under an expired permit far beyond their allotted authorization. Therefore, this measure serves to aid



the Department in addressing noncompliant and potentially hazardous structures by allowing the Board of Land and Natural Resources to attach a lien on an owner's property.

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

- (1) Making it effective upon its approval; and
- (2) 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. 1391, 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. 1391, S.D. 1, H.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

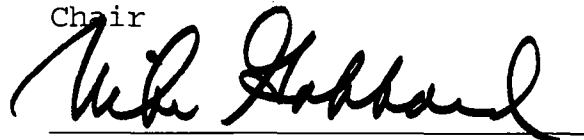
ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

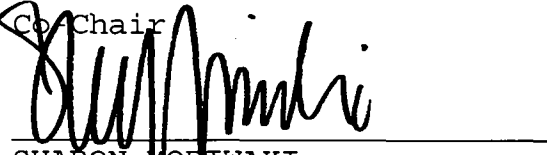

LINDA ICHIYAMA
Co-Chair


LORRAINE R. INOUE
Chair


DAVID A. TARNAS
Co-Chair


MIKE GABBARD
Co-Chair


MAHINA POEPOE
Co-Chair


SHARON MORIWAKI
Co-Chair



Hawai'i State Legislature

CCR 99

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB1391, SD 1, HD 2	Date/Time: 4/27/2023 10:15 AM
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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
INOUE, Lorraine R., Chr.	✓				ICHIYAMA, Linda, Co-Chr.	✓			
GABBARD, Mike, Co-Chr.				✓	TARNAS, David A., Co-Chr.	✓			
MORIWAKI, Sharon Y., Co-Chr.	✓				POEPOE, Mahina, Co-Chr.	✓			
ELEFANTE, Brandon J.C.	✓				EVSLIN, Luke A.				✓
					SOUZA, Kanani	✓			
TOTAL	3	0	0	1	TOTAL	4	0	0	1

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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