

Honolulu, Hawaii

**APR 26 2024**

RE: S.B. No. 3109  
S.D. 1  
H.D. 2  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2024  
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. 3109, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME 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 give practical effect to the Legislature's intent for the appropriation in Act 279, Session Laws of Hawaii 2022 (Act 279), by:

- (1) Establishing the Act 279 Special Fund until June 30, 2026;
- (2) Depositing certain unexpended or unencumbered funds appropriated through Act 279 that are set to lapse on June 30, 2024, into the Act 279 Special Fund and appropriating funds out of the Act 279 Special Fund; and



- (3) Providing that unencumbered monies from the appropriation out of the Act 279 Special Fund shall lapse on June 30, 2026.

Your Committee on Conference finds that Act 279 appropriated \$600,000,000 to the Department of Hawaiian Home Lands to reduce the number of applicants on the Department's waitlist. However, the appropriation made by Act 279 does not align with the constitutional time limit on appropriations set by article VII, section 11, of the Hawaii State Constitution. This measure will correct the original general fund lapse date in Act 279 and ensure that the Department of Hawaiian Home Lands may expend the funds appropriated by Act 279 as the Legislature intended.

Your Committee on Conference has amended this measure by:

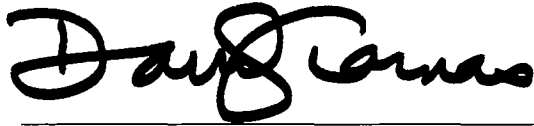
- (1) Establishing the Act 279 Special Fund in session law, rather than in the Hawaiian Homes Commission Act of 1920, as amended;
- (2) Specifying that moneys in the Act 279 Special Fund shall also be used to explore and develop opportunities to generate additional revenue from lands that the Department of Hawaiian Home Lands controls to fulfill its fiduciary duties;
- (3) Inserting an appropriation of \$129,100,000 to be expended by the Department of Hawaiian Home Lands for the purposes of Act 279;
- (4) Clarifying that the appropriation made by this Act shall not lapse at the end of the fiscal biennium for which the appropriation is made; provided that all moneys from the appropriation unexpended or unencumbered as of June 30, 2026, shall lapse as of that date; and
- (5) Inserting an effective date of June 29, 2024, and a repeal date of June 30, 2026.

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. 3109, 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. 3109, S.D. 1, H.D. 2, C.D. 1.



Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE



DAVID A. TARNAS  
Co-Chair



SCOTT Y. NISHIMOTO  
Co-Chair

ON THE PART OF THE SENATE





MAILE S.L. SHIMABUKURO  
Chair



CHRIS LEE  
Co-Chair



Record of Votes of a  
Conference Committee

Bill / Concurrent Resolution No.: <b>SB 3109, SD 1, HD 2</b>					Date/Time: <i>4/26/24 2:16 pm</i>				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> 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.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
SHIMABUKURO, Maile S.L., Chr.	✓				TARNAS, David A., Co-Chr.	✓			
LEE, Chris, Co-Chr.	✓				NISHIMOTO, Scott Y., Co-Chr.	✓			
KEOHOKALOLE, Jarrett	✓				HOLT, Daniel	✓			
					KILA, Darius K.	✓			
					WARD, Gene				✓
TOTAL	3				TOTAL	4			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				
Senate Lead Chair's or Designee's Signature: 					House Lead Chair's or Designee's Signature: 				
Distribution:		Original	Yellow	Pink			Goldenrod		
		File with Conference Committee Report	House Clerk's Office	Senate Clerk's Office			Drafting Agency		