

STAND. COM. REP. NO.

1109

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 1391
S.D. 1

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

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 1391, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to authorize the Board of Land and Natural Resources to place a lien on property for noncompliance with administrative enforcement action.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and Surfrider Foundation Hawai'i Region. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that coastal erosion facilitated by rising sea levels is a threat to Hawaii's iconic beaches and shoreline homes. In response to rising tides, many private citizens who have property near public beaches have resorted to building erosion control structures. However, while these shoreline hardening structures may help protect a homeowner's private property, they often encroach upon public lands and beaches, to the detriment of the beachgoing public. Further, the debris from these illegal structures -- which can include rocks, concrete, rebar, and textiles -- may create serious public hazards along the shoreline and in the water. Your Committees find that



the Department of Land and Natural Resources has struggled to resolve the described problems caused by encroaching 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 shoreline hardening structures by allowing the Department to attach a lien on the owner's property.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1391, S.D. 1, and recommend that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,

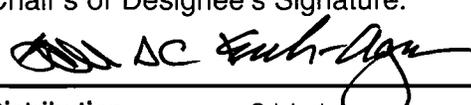

DONOVAN M. DELA CRUZ, Chair


KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB1391 SDI	Committee Referral: WTL, JDC/WAM	Date: 3/3/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt				X
TOTAL	12			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes