STAND. COM. REP. NO.

1239

Honolulu, Hawaii

MAR 16 ' 2023

RE: S.B. No. 1391

S.D. 1 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred S.B. No. 1391, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to authorize the Board of Land and Natural Resources to place a lien on property for noncompliance with administrative enforcement actions for encroachments upon public lands.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Reef and Ocean Coalition, and Surfrider Foundation Hawaii Region.

Your Committee finds that this measure will aid the Department of Land and Natural Resources and the counties in resolving encroaching structures that are largely unpermitted or remain under an expired permit. This measure additionally provides remedies to ensure removal of expired temporary erosion control structures that have become de facto seawalls and encroachments on public lands.

Your Committee has amended this measure by:

- (1) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1391, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1391, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on behalf of the members of the Committee on Water & Land,

LINDA ICHTYAMA, Chai

State of Hawaii House of Representatives The Thirty-second Legislature

HSCR1239

Record of Votes of the Committee on Water & Land

Bill/Resolution No.: SB 1391, SD1	Committee Referral: WAL, JHA, FIN	Date:	3/14/23	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays Excused	
1. ICHIYAMA, Linda (C)				
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2. POEPOE, Mahina (VC)				X3.4
2 CHIN COW M				
3. CHUN, Cory M.				
4. GANADEN, Sonny				
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5. HASHEM, Mark J.				Foxeline and
6. MORIKAWA, Dee		1 - No. 10 - 10 - 10 - 10 - 10 - 10 - 10 - 10		# 1
7 TAKANAMA Cuca				
7. TAKAYAMA, Gregg				4
8. SOUZA, Kanani				=
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TOTAL (8)	1 7			
The recommendation is: Adopted □ Not Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				