

Honolulu, Hawaii

, 2021

APR 23

RE: H.B. No. 1149
H.D. 1
S.D. 2
C.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1149, H.D. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

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 restructure the manner in which the State handles certain land use and planning matters by:

- (1) Exempting the Land Use Commission from certain provisions of section 26-35, Hawaii Revised Statutes, pertaining to the administrative supervision of boards and commissions;
- (2) Administratively attaching the Land Use Commission to the Office of Planning; and



- (3) Maintaining the independence of the Land Use Commission on matters coming before it to which the Office of Planning is a party by requiring the establishment of and adherence to procedures and safeguards to avoid actual or perceived conflicts of interest that may otherwise arise in the Land Use Commission's proceedings.

Your Committee on Conference has amended this measure by:

- (1) Renaming the newly restructured Office of Planning as the Office of Planning and Sustainable Development (Office) and making conforming amendments;
- (2) Authorizing, rather than requiring, the Office to undertake a boundary review of the classification and districting of all lands in the State;
- (3) If the Office undertakes a boundary review, requiring the Office to submit a report of its findings to the Governor, Legislature, and appropriate state and county agencies;
- (4) Requiring the Office to assist the Legislature and state and county agencies in maintaining an overall framework to guide the development of the State;
- (5) Authorizing, rather than requiring, the Director of the Office to retain staff in conformity with chapter 76, Hawaii Revised Statutes;
- (6) Authorizing the Director of the Office to retain staff without regard to chapter 76, Hawaii Revised Statutes;
- (7) Requiring the Office to gather, analyze, and provide information to the Legislature and state and county agencies to assist in the overall analysis and formulation of state policies and strategies;
- (8) Clarifying and strengthening the provisions that may prevent conflicts of interest in proceedings before the Land Use Commission; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

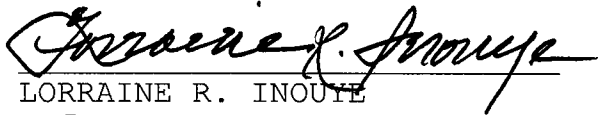


As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1149, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1149, H.D. 1, S.D. 2, C.D. 1.

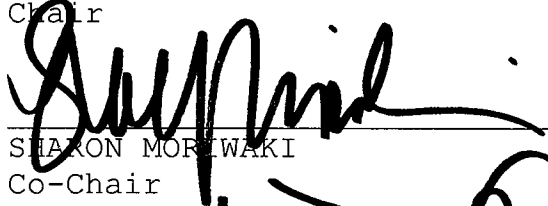
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

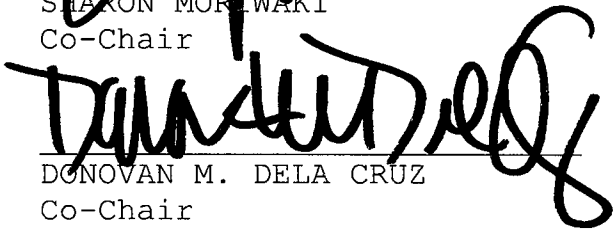
ON THE PART OF THE HOUSE



LORRAINE R. INOUÉ
Chair



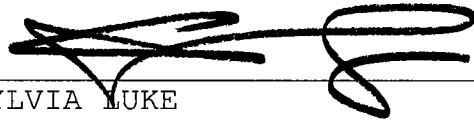
SHARON MORIWAKI
Co-Chair



DONOVAN M. DELA CRUZ
Co-Chair



DAVID A. TARNAS
Co-Chair



SYLVIA LUKE
Co-Chair



Hawaii State Legislature
Record of Votes of a
Conference Committee

CCR 115

Bill / Concurrent Resolution No.: HB 1149, HD 1, SD 2	Date/Time: 4/22/2021 4:15pm
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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
INOUYE, Lorraine R., Chr.	/				TARNAS, David A., Co-Chr.	/			
MORIWAKI, Sharon Y., Co-Chr.	/				LUKE, Sylvia, Co-Chr.	/			
DELA CRUZ, Donovan M., Co-Chr.	/				MCDERMOTT, Bob		/		
FEVELLA, Kurt	/								
TOTAL	4				TOTAL	2	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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