

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii  
Sir:

Your Committees on Water, Land, & Hawaiian Affairs and Energy & Environmental Protection, to which was referred H.B. No. 589 entitled:

"A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND,"

beg leave to report as follows:

The purpose of this measure is to require the Department of Land and Natural Resources to implement certain recommendations made by the Auditor in Auditor's Report No. 19-01, and allow members of the public to compel the Department to fulfill its statutory responsibilities under chapter 173A, Hawaii Revised Statutes.

The Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii and two individuals submitted testimony in support of this measure. The Department of Land and Natural Resources, Department of the Attorney General, the Office of the Auditor, and Trust for Public Land offered comments on this measure.

Your Committees have amended this measure by:

- (1) Deleting language creating a private right of action to enforce the Department's compliance with statutory duties;
- (2) Changing the date the Auditor's report shall be submitted to the Legislature upon a finding of noncompliance by the Department to no less than twenty days prior to the regular session of 2021;
- (3) Changing its effective date to July 1, 2050, to promote further discussion; and

Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Hawaiian Affairs and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 589, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 589, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committees on  
Water, Land, & Hawaiian Affairs and Energy & Environmental Protection,

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NICOLE E. LOWEN, Chair

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RYAN I. YAMANE, Chair