stand. com. rep. no. 442

Honolulu, Hawaji February 14, 2013

RE: H.B. No. 1106 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1106 entitled:

"A BILL FOR AN ACT RELATING TO PROPERTY NUISANCE,"

begs leave to report as follows:

The purpose of this measure is to create a private right of action against any person maintaining a residentially zoned property that is found in violation of a state law, rule, or county ordinance, three or more times within three years, if such violation causes injury or damage to another person or another person's property.

Several individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Reducing the length of time in which subsequent violations of a state law, rule, or county ordinance, gives rise to a cause of action from three years to eighteen months; and
- (2) Changing its effective date to July 1, 2020, to encourage further discussion.

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 H.B. No.

1106, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1106, H.D. 1, and be referred to the Committee on Judiciary.

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

CINDY EVANS, Chair



## State of Hawaii House of Representatives The Twenty-seventh Legislature

## Record of Votes of the Committee on Water & Land

Bill/Resolution No.: #B//OG	Committee Referral: WAL, JWD	Date:	2/11/	2013
☐ 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. EVANS, Cindy (C)	~			
2. LOWEN, Nicole E. (VC)	V			
3. COFFMAN, Denny				
4. CULLEN, Ty J.K.				
5. HANOHANO, Faye P.		<b>/</b>		
6. KAWAKAMI, Derek S.K.	V			
7. LEE, Chris				
8. FALE, Richard Lee		V		
9. THIELEN, Cynthia			V	
			,	
TOTAL (9)	5	2	-	
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature: Much E Journal				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				