STAND. COM. REP. NO. 822

Honolulu, Hawaii March G , 2015 H.B. No. 1408 RE: HD 3

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 1408, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PRIVATE ROADS,"

begs leave to report as follows:

The purpose of this measure is to address the ownership of private roads that are regularly used by the public by:

- (1)Requiring the counties to accept the surrender of a private road in cases where there has been an absence of any act of private ownership over the road for five years; and
- (2) Exempting the State and counties from liability arising from the use of the road until the State or county performs maintenance work on the road.

The Bank of Hawaii and a concerned individual supported this measure. The Department of Land and Natural Resources, Department of Design and Construction of the City and County of Honolulu, and the Hawaii Association for Justice opposed this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2030, to encourage further discussion. Technical, nonsubstantive amendments were also made for clarity, consistency, and style.



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As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1408, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1408, H.D. 3.

> Respectfully submitted on behalf of the members of the Committee on Finance,

LUKE, SYLVIA Chair



State of Hawaii House of Representatives The Twenty-eighth Legislature



Record of Votes of the Committee on Finance

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Bill/Resolution No.:	Committee Referral:	Committee Referral: Date:		
HB 1408, HD2	TRN, JUD, FIN		2/25/15	-
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Image: Pass, unamended (as is) Pass, with amendments (HD) Image: Hold Image: Pass short form bill with HD to recommit for future public hearing (recommit)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. LUKE, Sylvia (C)	61			·
2. NISHIMOTO, Scott Y. (VC)				
3. CACHOLA, Romy M.				
4. CULLEN, Ty J.K.	/			·
5. DECOITE, Lynn				
6. JOHANSON, Aaron Ling				
7. JORDAN, Jo	1			
8. KEOHOKALOLE, Jarrett				
9. KOBAYASHI, Bertrand				
10. LOWEN, Nicole E.				
11. ONISHI, Richard H.K.				
12. TOKIOKA, James Kunane	/			
13. YAMASHITA, Kyle T.				
14. POUHA, Feki				
15. WARD, Gene	/			
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TOTAL (15)	- 15			
The recommendation is: Adopted D Not Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				