STAND. COM. REP. NO.

890

Honolulu, Hawaii

MAR 0 3 2017

RE: S.B. No. 637

S.D. 2

Honorable Ronald D. Kouchi President of the Senate Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 637, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COUNTY ACCESS TO PRIVATE PROPERTY,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the counties through their employees or authorized agents to enter private property to control or eradicate invasive species and pests.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Department of Agriculture; Office of the Mayor, County of Hawaii; Office of the Mayor, County of Maui; Hawaii Association of REALTORS; Hawaii Cattlemens Council; The Hawaiian Electric Companies; and five individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that invasive species and pests are a persistent and real threat to the State. Invasive species and pests can swiftly and permanently alter the ecosystem of the State if not effectively eradicated. To ensure the rapid and complete removal of such species and pests, this measure allows the counties, through their employees or authorized agents, to have



authority to enter onto private property when necessary to control or eradicate invasive species and pests.

Your Committee has amended this measure by:

- (1) Clarifying under section 194-5(a), Hawaii Revised Statutes, that the employees or authorized agents of a department or county may enter the premises to control or eradicate the invasive species after reasonable notice is provided to the owner of the property or pursuant to a court order; and
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 637, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 637, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

GILBERT S.C. KEITH-AGARAN, Chair

The Senate Twenty-Ninth Legislature State of Hawai'i

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:* SB 637 SD1		PSM/AEN, JDL		Date: 3/1/17	
The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)		/			
RHOADS, Karl (VC)				· .	
GABBARD, Mike					
KIM, Donna Mercado					
THIELEN, Laura H.					
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TOTAL		3	0	0	2
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

^{*}Only one measure per Record of Votes