STAND. COM. REP. NO. 944

Honolulu, Hawaii

FEB 28, 2019

RE: H.B. No. 213

H.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 213 entitled:

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

begs leave to report as follows:

The purpose of this measure is to authorize a property owner or agent to enter adjacent properties to eradicate albizzia trees before they become hazardous, under certain conditions.

The Big Island Invasive Species Committee, Mayor of the County of Hawai'i, Hawaiian Electric Company Inc. and its subsidiary utilities Maui Electric Company, Limited and Hawai'i Electric Light Company, Inc., O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Hoalike Farm, and an individual supported this measure. The Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by:

(1) Clarifying that a property owner or agent may enter adjacent properties to control, rather than eradicate albizia trees;

- (2) Specifying the conditions under which an owner may enter an adjacent property to control albizia trees to address health and safety concerns;
- (3) Changing the effective date to January 28, 2081, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 213, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 213, H.D. 1, and be placed on the calendar for Third Reading.

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

CHRIS LEE, Chair

## State of Hawaii House of Representatives The THIRTIETH Legislature

## HSCR 944

## **Record of Votes of the Committee on Judiciary**

Bill/Resolution No.:	Committee Referral:	Date	1 /	
148513	Juo		14/19	
☐ 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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)				
也是自然性的是可可以是自然的		<b>建</b> 水管理板管建筑		
2. SAN BUENAVENTURA, Joy A.	(VC)			
3. BROWER, Tom				
<b>是是有限的。</b>			SERVICE STREET	
4. CREAGAN, Richard P.				4
5. LOWEN, Nicole E.				
LETTER PROPERTY OF THE PROPERT	11/			
6. McKELVEY, Angus L.K.	-			
7. MORIKAWA, Dee		CONTRACTOR STATE AND ASSESSED.		
O CAN CLL WY				TOTAL PAR
8. SAY, Calvin K.Y.	No. of the last of		New York Control of the Control of t	
9. TAKAYAMA, Gregg				
9. TAKAYAMA, Gregg			Marsher Revision In the Control of the	RECUESTON AUTOR
10. YAMANE, Ryan I.		MCOM DECEMBER 1	allis kome kensas uni p	
		STATE STATE OF	The same of the sa	
11. THIELEN, Cynthia				
TOTAL (11)	10			
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				
	/ /			