STAND. COM. REP. NO. 123

Honolulu, Hawaii

February 7

, 2019

RE: H.B. No. 600 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 Water, Land, & Hawaiian Affairs, to which was referred H.B. No. 600 entitled:

"A BILL FOR AN ACT RELATING TO ACTIONS FOR QUIET TITLE,"

begs leave to report as follows:

The purpose of this measure is to require that in quiet title actions involving kuleana land, the court shall:

- (1) Order the parties to enter into mandatory mediation at the request of the defendant and at cost to the plaintiff;
- (2) Consolidate separate actions involving the same parties or same real party in interest; and
- (3) Allow a plaintiff to recover costs from a defendant only as equitable under the circumstances.

Ka Lahui Hawai'i Political Action Committee and numerous individuals testified in support of this measure. An individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Making the court's orders for mediation, consolidation, and allocation of costs to the plaintiff discretionary rather than mandatory;
- (2) Changing its effective date to January 7, 2050, to facilitate further discussion; and
- (3) Making a technical, nonsubstantive amendment for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 600, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 600, H.D. 1, and be referred to your Committee on Judiciary.

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

YAMANE, Chair

State of Hawaii House of Representatives The THIRTIETH Legislature

HSCR123

Record of Votes of the Committee on Water, Land, & Hawaiian Affairs

Bill/Resolution No.: HB 600	Committee Referral: WLH, JUD, FIN		Date: 02/01/19	
☐ 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)				
WLH Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	V			
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2. TODD, Chris (VC)		Miles auto-base and miles and a	History and the second	
2 HAD Shows E		ALDIE 20 接流版报		
3. HAR, Sharon E.			CHERNING SUCCESS	
4. LOWEN, Nicole E.	V		STATES COURSE IN CA.	
4. Low Bry, Nicole E.	ASSESSED PROPERTY OF THE	MINES STREET	KERINGSHIP STATE	
5. TARNAS, David A.				
			NATIONAL PROPERTY.	
6. WILDBERGER, Tina				
对比较是是基本的企业的企业	DRIVER DESIGNATION			
7. THIELEN, Cynthia				
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TOTAL (7)	6	0	0	
The recommendation is: Adopted 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				