

Honolulu, Hawaii

February 11, 2014

RE: H.B. No. 1854

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1854
entitled:

"A BILL FOR AN ACT RELATING TO NUISANCES,"

begs leave to report as follows:

The purpose of this measure is to protect public health and safety by designating odors, filth, and the infestation of rodents or pests that result from the storage of personal property that is not maintained or kept in good order as a nuisance for nuisance abatement purposes.

Several concerned individuals testified in support of this measure. The Department of Health testified in opposition to this measure. The Representative of House District 23 commented on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Health shall only invoke its authority to abate, destroy, remove, or prevent the nuisance if the person whose personal property is the cause of the nuisance:

- (A) Has been subject to administrative fines totaling \$10,000 or more for the nuisance in a ten-year period; and



- (B) Has not substantially remediated the nuisance within six months of the most recent administrative fine issued by the State or county;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1854, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1854, H.D. 1, and be referred to the Committee on Judiciary.

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



DELLA AU BELATTI, Chair



State of Hawaii
House of Representatives
The Twenty-seventh Legislature

HSOR 333-14

Record of Votes of the Committee on Health

Bill/Resolution No.: HB 1054	Committee Referral: HLT, JUD	Date: 2/7/14		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. BELATTI, Della Au (C)	✓			
2. MORIKAWA, Dee (VC)	✓			
3. CARROLL, Mele				✓
4. CREAGAN, Richard	✓			
5. HASHEM, Mark J.	✓			
6. JORDAN, Jo				✓
7. KOBAYASHI, Bertrand	✓			
8. OSHIRO, Marcus R.		✓		
9. WOODSON, Justin H.	✓			
10. MATSUMOTO, Lauren Kealohilani	✓			
TOTAL (10)	7	1		2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; margin-left: 100px;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) -- Committee Duplicate (Yellow) -- Chief Clerk's Office Duplicate (Pink) -- HMSO				