

Honolulu, Hawaii

April 28, 2016

RE: H.B. No. 1561
S.D. 1
C.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1561, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to remedy the situation of an unlawful occupation of real property by amending the nuisance abatement law to authorize civil lawsuits that seek, among other things, an order of abatement that permanently prohibits the trespassers from residing on or entering onto the subject real property.

Your Committee on Conference finds that "squatting," to settle on land without title, right, or payment of rent, has become common in certain areas of this State and is a serious nuisance to the owners of the property, adjoining landowners, and neighboring residents. Squatting presents significant legal issues for land owners because the legal process to evict a squatter is costly and

HB1561 CD1 HCCR HMS 2016-3442



time consuming. The problems multiply when the squatter locates on property that has been abandoned by the owner. Because neighboring landowners and residents do not have a property interest in the abandoned parcel, they usually do not have effective legal tools to remove the squatter. There is a lack of effective remedies to protect against noise, drug use, unsanitary conditions, and other illegal activities in their neighborhoods.

This measure is intended to provide the landowners and the affected communities with a means to obtain relief from the nuisance created by squatters.

Your Committee on Conference has amended this measure by making it effective on July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1561, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1561, S.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE


GILBERT S.C. KEITH-AGARAN,
Chair


KARL RHOADS, Chair



Hawaii State Legislature
Record of Votes of a
Conference Committee

CCR 38-16

Bill / Concurrent Resolution No.: HB 1561, SD 1	Date/Time: <i>04/26/16 2:22 p.m.</i>
---	--------------------------------------

The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
---	---

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
KEITH-AGARAN, Gilbert S.C., Chr.	✓				RHOADS, Karl, Chr.	✓			
KAHELE, Kaiali'i	✓				SAN BUENAVENTURA, Joy A.	✓			
SHIMABUKURO, Maile S.L.	✓				MCDERMOTT, Bob	✓			
TOTAL	3	0	0	0	TOTAL	3	0	0	0

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
---	--

Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
--	---

Distribution: **Original** **Yellow** **Pink** **Goldenrod**
File with Conference Committee Report House Clerk's Office Senate Clerk's Office Drafting Agency