

STAND. COM. REP. NO. 2729

Honolulu, Hawaii

MAR 04 2016

RE: S.B. No. 2562
S.D. 1

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

Sir:

Your Committees on Human Services, Ways and Means, and
Judiciary and Labor, to which was referred S.B. No. 2562 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC REAL PROPERTY,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Department of Accounting and General Services to implement, beginning on January 1, 2017, a temporary cleanup program for debris and litter removal from state real property after individuals who had illegally camped or lodged at the property have departed;
- (2) Require the Department of Public Safety to implement, beginning on January 1, 2017, a temporary sheriff patrol program to enforce laws and rules prohibiting trespassing, camping, or being present after closing hours on state real property;
- (3) Establish the offense of criminal trespass onto public real property; and
- (4) Amend criminal trespass statutes to improve the enforceability of the statutes.

Your Committees received testimony in support of this measure from the Department of the Attorney General and Department of Land



and Natural Resources. Your Committees received comments on this measure from the Department of Accounting and General Services, Department of Public Safety, and one individual.

Your Committees find that many state agencies are facing similar challenges relating to removing trespassing individuals from public property under the respective agency's control, and cleaning up after these individuals when they leave. Your Committees also find that rather than having these state agencies deal with these issues independently, this measure offers a potentially efficient and humane approach to addressing these issues.

Your Committees recognize that like this measure, S.B. No. 2816, as amended (Regular Session of 2016), addresses trespassing on state lands. If both this measure and S.B. No. 2816 should proceed, your Committees note that the language in these measures should be made consistent with each other such that there is no overlap or confusion in the law.

Your Committees further note the testimony of the Department of Public Safety estimating the cost for the temporary deputy sheriff positions for the program to be \$2,090,000, including \$738,000 for seven months of overtime for twelve deputy sheriffs for the period of time from January 1, 2017, to July 31, 2017; \$390,000 for six months of new hire salaries, equipment, and supplies for twelve deputy sheriffs for the period of time from January 1, 2017, to July 31, 2017; \$240,000 for six vehicles at \$40,000 per vehicle; and \$722,000 for one year's salary for twelve deputy sheriff positions for the period of time from July 1, 2017, to June 30, 2018.

Your Committees request that the Department of Accounting and General Services and Department of Public Safety work together to better assess the cost of the temporary programs, including the cost of the full-time employees that the program requires.

Your Committees have amended this measure by:

- (1) Removing the amounts of the appropriations for fiscal year 2016-2017;
- (2) Removing the number of positions for the temporary deputy sheriff program;




- (3) Broadening the scope of the temporary cleanup program to include cleaning state real property after the departure of any persons known, or suspected to have, illegally or without permission camped or lodged on state real property;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services, Ways and Means, and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2562, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2562, S.D. 1, and be placed on the calendar for Third Reading.

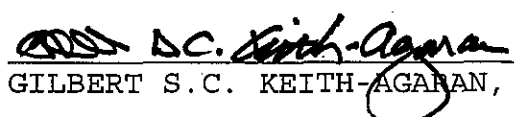
Respectfully submitted on
behalf of the members of the
Committees on Human Services,
Ways and Means, and Judiciary
and Labor,



JILL N. TOKUDA, Chair



SUZANNE CHUN OAKLAND, Chair

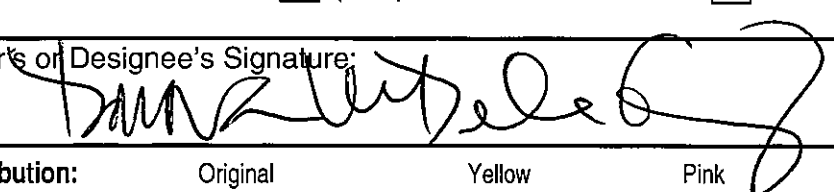


GILBERT S.C. KEITH-AGARAN, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 2562	Committee Referral: HMS/WAM/SOL	Date: 3/1/16		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood	/			
HARIMOTO, Breene				/
INOUYE, Lorraine R.	/			
RIVIERE, Gil	/			
TANIGUCHI, Brian T.				/
WAKAI, Glenn	/			
SLOM, Sam	/			
TOTAL	9			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> 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

