

STAND. COM. REP. NO.

1068

Honolulu, Hawaii

March 3, 2017

RE: H.B. No. 860
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 860 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 establish quiet title action procedures for kuleana lands, including:

- (1) At the request of a defendant, court-ordered mandatory mediation to resolve the action;
- (2) At the request of defendants, court-ordered consolidation of separate actions under specified conditions;
- (3) Prohibiting the extinguishment or alienation of the defendant's access to the land for native Hawaiian cultural and traditional practices; and
- (4) Prohibiting a plaintiff from recovering costs, expenses, and attorney's fees from a defendant.

The Office of Hawaiian Affairs, Ho'omana Pono, LLC., We Are One, Inc., and numerous concerned individuals supported this bill.

HB860 HD1 HSCR JUD HMS 2017-2742



The Land Use Research Foundation of Hawaii opposed this measure.
A concerned individual submitted comments.

Your Committee has amended this bill by changing its
effective date to July 1, 2050, to facilitate further discussion.

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.
860, as amended herein, and recommends that it pass Third Reading
in the form attached hereto as H.B. No. 860, H.D. 1.

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


SCOTT Y. NISHIMOTO, Chair



