

STAND. COM. REP. NO.

1695

Honolulu, Hawaii

APR 21 2017

RE: H.C.R. No. 148  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred H.C.R. No. 148 entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A WORKING GROUP TO EXAMINE AND DEVELOP RECOMMENDATIONS TO ADDRESS THE ISSUE OF SQUATTING IN THE STATE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Request the Governor's Coordinator on Homelessness to convene a working group to examine and develop recommendations to address the issue of squatting in the State;
- (2) Identify the members of the working group and specify issues related to squatting for which the working group is requested to consider, examine, and develop recommendations and proposed legislation; and
- (3) Request the working group to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the convening of the Regular Session of 2018.

Your Committee did not receive any testimony on this measure.



Your Committee finds that squatting, or settling on land without title, right, or payment of rent, has become common in certain areas of the State and is a serious nuisance to owners of the property, adjoining landowners, and neighboring residents. Although Act 154, Session Laws of Hawaii 2016 (Act 154), authorizes a person to bring a civil suit for the unlawful occupation of real property to which the person has no title, lease, or other legal claim, this form of relief only addresses an existing nuisance condition and does not provide a means to prevent the nuisance from occurring. By requesting the Governor's Coordinator on Homelessness to convene a working group, this measure will assist in exploring and understanding the causes of squatting and its associated factors in order to effectively address the issue of squatting.

Your Committee has amended this measure by:

- (1) Adding language to clarify that Act 154 amended section 712-1270, Hawaii Revised Statutes, to include unlawful occupation of real property to which the person has no title, lease, or other legal claim as a nuisance subject to civil suit for abatement, prevention, and injunction; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 148, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 148, S.D. 1.

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

  
GILBERT S.C. KEITH-AGARAN, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>HCR148</b>	Committee Referral: <b>JDL</b>	Date: <b>4/18/17</b>		
<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
KEITH-AGARAN, Gilbert S.C. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado				✓
THIELEN, Laura H.	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Paul Rhoads</i>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes