

Honolulu, Hawaii

FEB 16 2017

RE: S.B. No. 637

S.D. 1

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

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Agriculture and Environment, to which was referred S.B. No. 637 entitled:

"A BILL FOR AN ACT RELATING TO COUNTY ACCESS TO PRIVATE PROPERTY,"

beg leave to report as follows:

The purpose and intent of this measure is to authorize the counties through their employees or authorized agents to enter private property to control or eradicate invasive species and pests.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Department of Agriculture; Office of the Mayor for the County of Maui; The Hawaiian Electric Companies; Hawaii Association of REALTORS; Hawaii Farmers Union; and nine individuals. Your Committees received testimony in opposition to this measure from Kauai Ferals dba Kauai Community Cat Project and one individual.

Your Committees find that invasive species and pests are a persistent and real threat to the State. Invasive species and pests can swiftly and permanently alter the ecosystem of the State if not effectively eradicated. To ensure the rapid and complete removal of such species and pests, it is essential to allow the counties, through their employees or authorized agents, to have authority to enter onto private property when necessary to control or eradicate invasive species and pests.



Your Committees have amended this measure by:

- (1) Clarifying in section 194-5(a), Hawaii Revised Statutes, that an agent of the department or county is also authorized to enter private property to control or eradicate invasive species; and
- (2) 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 Public Safety, Intergovernmental, and Military Affairs and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 637, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 637, S.D. 1, and be referred to your Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Intergovernmental, and Military
Affairs and Agriculture and
Environment,


MIKE GABBARD, Chair


CLARENCE K. NISHIHARA, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i


Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:* SB 637	Committee Referral: PSM/AEN, JDL	Date: 2/8/17		
<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
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.				✓
IHARA, Jr., Les				✓
THIELEN, Laura H.	✓			
TOTAL	3	0	0	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

The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* SB637	Committee Referral: PSM/AEN, JDL	Date: 2/8/17		
<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
GABBARD, Mike (C)	X			
RIVIERE, Gil (VC)	X			
NISHIHARA, Clarence K.	X			
RHOADS, Karl	X			
RUDERMAN, Russell E.				X
TOTAL	4	0	0	1
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				

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