

STAND. COM. REP. NO. 1365

Honolulu, Hawaii

March 24, 2017

RE: S.B. No. 717
S.D. 2
H.D. 2

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 S.B. No. 717, S.D. 2, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish a temporary program, in a state executive department to be designated by the Governor, to clean up state real property after the departure of persons who have camped or lodged there illegally or without authorization;
- (2) Require the Department of Public Safety to establish a temporary sheriff patrol program to enforce laws against illegal camping, trespassing, or occupancy after closing hours on state real property;
- (3) Terminate the temporary programs on June 30, 2019; and
- (4) Appropriate funds to the designated state executive department and Department of Public Safety for purposes of this measure.



The Hawaii Community Development Authority supported this measure. The Department of Accounting and General Services supported the intent of this measure. We Are One, Inc. and many individuals opposed this measure. The Department of Land and Natural Resources, Department of Public Safety, Department of the Attorney General, and Governor's Coordinator on Homelessness provided comments.

Your Committee has amended this measure by:

- (1) Specifying that the temporary program may apply to state real property under the control and management of state agencies including the Judiciary, University of Hawaii, Department of Education, and Stadium Authority;
- (2) Amending the definition of "laws prohibiting an individual from trespassing on state real property" to include any offenses relating to trespass onto state lands, as codified in part II of chapter 708, Hawaii Revised Statutes, which relates to burglary and other offenses of intrusion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 S.B. No. 717, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 717, S.D. 2, H.D. 2.

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



SCOTT Y. NISHIMOTO, Chair



