

STAND. COM. REP. NO.

991

Honolulu, Hawaii

MARCH 3, 2017

RE: H.B. No. 172

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 H.B. No. 172, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to authorize a property owner or the owner's agent to enter adjacent vacant property that is privately-owned under certain conditions and with certain notice requirements to eradicate albizia trees that could become hazardous if left untreated. This measure also provides a defense to criminal prosecution for such eradication, provided it is conducted in compliance with the law.

Big Island Invasive Species Committee, Nanawale Community Association Ltd., Hawaiian Electric Companies, and numerous individuals testified in support of this measure. The Department of Land and Natural Resources, Office of the Mayor of the County of Hawaii, and two concerned individuals commented on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the entering owner may use current established methods to remove the albizia trees, which



include, but are not limited to methods approved by the State Invasive Species Council; and

- (2) 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 H.B. No. 172, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 172, H.D. 2.

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



SCOTT Y. NISHIMOTO, Chair



