

STAND. COM. REP. NO.

1371

Honolulu, Hawaii

MAR 22 2019

RE: H.B. No. 213  
H.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and Military Affairs, to which was referred H.B. No. 213, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to authorize a property owner or agent to enter vacant, adjacent, or private property to control albizia trees to prevent or address hazardous conditions, subject to certain conditions.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Mayor of the County of Hawai'i, Hawaiian Electric Companies, Big Island Invasive Species Committee, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General and one individual.

Your Committee finds that due to albizia trees' height of up to two hundred fifty feet and brittle branches, these trees pose a threat not only to properties on which they are rooted but also to adjacent properties where branches and other debris may fall during high winds. This invasive species can be hazardous to residents, travelers, first responders, and anyone in the vicinity of its brittle limbs. Your Committee further finds that the ability of landowners to control albizia trees on adjacent



properties may decrease health and safety risks associated with these trees.

Your Committee requests that your Committee on Judiciary consider the testimony of the Department of Land and Natural Resources that liability for injuries incurred from tree removal may need to be addressed and the testimony of the Mayor of the County of Hawaii that the term "control" should be clarified to indicate that controlling albizia trees means the felling and removal of albizia trees, not merely tree trimming.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 213, H.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,  
Intergovernmental, and Military  
Affairs,



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CLARENCE K. NISHIHARA, Chair



