

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621  
HONOLULU, HAWAII 96809

DAWN N.S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
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CONSERVATION AND COASTAL LANDS  
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ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Testimony of  
DAWN N. S. CHANG  
Chairperson

Before the House Committee on  
WATER AND LAND

Tuesday, January 28, 2025  
9:00 AM

State Capitol, Conference Room 411 and Via Videoconference

In consideration of  
HOUSE BILL 175  
RELATING TO PROPERTY MAINTENANCE

House Bill 175 proposes to require owners, lessees, or managers of real property to maintain their property to mitigate environmental or public safety risks and establish penalties for failure to do so. Allows for exceptions. **The Department of Land and Natural Resources (Department) offers comments on this measure.**

In regards to the definition of invasive species, the Department recommends clarifying language added to **Section 2 § -1 Property maintenance; requirements (1)**: The proliferation of invasive species, including but not limited to plants, shrubs, grasses, or other vegetation that are known to spread aggressively and threaten native ecosystems, and are already listed as noxious, restricted, and/or prohibited species by county, state, or federal authorities.

Regarding **§ -4 Procedures for implementation of chapter**, the Department recommends inspection, enforcement, appeals, and collection of fines should be the responsibility of the Office of the State Fire Marshal and County Fire Departments. DLNR does not have the funding and enforcement staffing to support the proper implementation of this chapter.

Mahalo for the opportunity to comment on this measure.

**COUNTY COUNCIL**

Mel Rapozo, Chair  
KipuKai Kualii, Vice Chair  
Addison Bulosan  
Bernard P. Carvalho, Jr.  
Felicia Cowden  
Fern Holland  
Arryl Kaneshiro



**OFFICE OF THE COUNTY CLERK**

Jade K. Fountain-Tanigawa, County Clerk  
Lyndon M. Yoshioka, Deputy County Clerk

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**Council Services Division**  
4396 Rice Street, Suite 209  
Lihu'e, Kaua'i, Hawai'i 96766

January 24, 2025

**TESTIMONY OF ADDISON BULOSAN  
COUNCILMEMBER, KAUAI COUNTY COUNCIL  
ON  
HB 175, RELATING TO PROPERTY MAINTENANCE  
House Committee on Water & Land  
Tuesday, January 28, 2025  
9:00 a.m.  
Conference Room 411  
Via Videoconference**

Dear Chair Hashem and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of HB 175, Relating to Property Maintenance. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of HB 175, which would greatly affect the Kaua'i community.

Thank you again for this opportunity to provide testimony in support of HB 175. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to [cokcouncil@kauai.gov](mailto:cokcouncil@kauai.gov).

Sincerely,

**ADDISON BULOSAN**  
Councilmember, Kaua'i County Council

AAO:dmc



# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

**HEARING BEFORE THE HOUSE COMMITTEE ON WATER & LAND  
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 411  
Tuesday, January 28, 2025 AT 9:00 A.M.**

To The Honorable Mark J. Hashem, Chair  
The Honorable Rachele F. Lamosao, Vice Chair  
Members of the Committee on Water & Land

## **COMMENTS ON HB175 RELATING TO PROPERTY MAINTENANCE**

The Maui Chamber of Commerce would like to offer **COMMENTS on HB175** which requires owners, lessees, or managers of real property to maintain their property and establish penalties for failure to do so.

The Chamber is concerned about the potential impact on businesses and residents given the proposed penalties for violations in the new section of HRS. Many residents and businesses may not be fully aware of the intricacies of fire protection or invasive species laws. Therefore, we recommend strengthening the bill by adding language that would allow owners, occupants, or other responsible parties a reasonable period (at the county's discretion) to address the issue. There may be circumstances that prevent immediate compliance. For example, following the August 8, 2023 wildfires, many property owners invested significant resources to create firebreaks and clear their land, but had to wait for equipment and/or hired companies to perform the necessary work. We are concerned that, based on the current language of the bill, businesses and residents in such situations may face penalties of up to \$10,000 per violation while they are actively working to remediate the issue. While we fully support the increase in fines and daily assessments for those who refuse to comply, we believe additional flexibility is necessary for those making a good-faith effort to comply.

We also strongly support the inclusion of educational initiatives to ensure both public and private property owners are informed and able to maintain their properties in a safe manner, as outlined in the proposed language.

We thank you for the opportunity to provide **COMMENTS on HB175**.

Sincerely,

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



 808-733-7060  
 808-737-4977

 1259 A'ala Street, Suite 300  
Honolulu, HI 96817

January 28, 2025

**The Honorable Mark J. Hashem, Chair**

House Committee on Water & Land  
State Capitol, Conference Room 411 & Videoconference

**RE: House Bill 175, Relating to Property Maintenance**

**HEARING: Tuesday, January 28, 2025, at 9:00 a.m.**

Aloha Chair Hashem, Vice Chair Lamosao, and Members of Committee:

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawaii and its over 10,000 members. HAR provides **comments** on House Bill 175, which requires owners, lessees, or managers of real property to maintain their property and establish penalties for failure to do so. Allows for exceptions.

Property managers do not have the authority to make repairs, improvements, or upgrades to a property without the owner's approval. Additionally, under the Property Management Contract for services to be provided which is negotiated between the property manager and owner, they may set an agreed-upon dollar threshold amount for repairs which is typically significantly lower than the costs associated with removing invasive species and excessive vegetation. As such, we believe this has the unintended consequence of penalizing property managers with a fine of no less than \$1,000 to up to \$10,000 for responsibilities that are outside of their control.

Mahalo for the opportunity to provide testimony on this measure.



**HB-175**

Submitted on: 1/25/2025 8:30:18 PM

Testimony for WAL on 1/28/2025 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

STRONGLY SUPPORT HB175

**HB-175**

Submitted on: 1/27/2025 12:59:49 PM

Testimony for WAL on 1/28/2025 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Yvonne Alvarado	Individual	Support	Written Testimony Only

Comments:

I, Yvonne Alvarado is in Support of Bill HB175

**HB-175**

Submitted on: 1/28/2025 9:06:10 AM

Testimony for WAL on 1/28/2025 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Diane Ware	Individual	Support	Written Testimony Only

Comments:

Aloha legislators,

I strongly support HB175 and am in agreement with Mr Delos Reyes. I live on Hawaii island in a subdivision bordering Keauhou ranch and forest lands. There is no ranching now and fires have endangered our community. In August 2018 a fire was staron the ranch due to an incident involving a ranch vehicle. 4,000 acres burned in HVNP which also borders my subdivision. Fortunately the winds were NE. If they had been more northerly we would have been in the path of destruction.

The bill would require property owners to regularly maintain their land to prevent invasive species, wildfire risks and dry vegetation overgrowth that could obstruct roads or access for emergency responders.

“Large land owners, they have a responsibility to take care of their property for the sake of public safety,” said Lahaina resident Jeremy Delos Reyes. “The penalty should be very severe financially.”

Sincerely Diane Ware

99-7815 Kapoha Pl. Volcano HI