

STAND. COM. REP. NO.

890

Honolulu, Hawaii

MAR 03 2017

RE: S.B. No. 637
S.D. 2

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

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 637, S.D. 1, entitled:

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

begs 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 Committee received testimony in support of this measure
from the Department of Land and Natural Resources; Department of
Agriculture; Office of the Mayor, County of Hawai'i; Office of the
Mayor, County of Maui; Hawaii Association of REALTORS; Hawaii
Cattlemens Council; The Hawaiian Electric Companies; and five
individuals. Your Committee received comments on this measure
from one individual.

Your Committee finds 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, this measure allows 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 Committee has amended this measure by:

- (1) Clarifying under section 194-5(a), Hawaii Revised Statutes, that the employees or authorized agents of a department or county may enter the premises to control or eradicate the invasive species after reasonable notice is provided to the owner of the property or pursuant to a court order; and
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 637, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 637, S.D. 2.

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


GILBERT S.C. KEITH-AGARAN, Chair



