

STAND. COM. REP. NO.

3411

Honolulu, Hawaii

APR 04 2018

RE: H.B. No. 2275
H.D. 2
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2275, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY,"

begs leave to report as follows:

The purpose and intent of this measure is to require private streets, highways, or thoroughfares, except for private roads used exclusively by the owner or its employees, in the Kaka'ako community development district to conform to county construction and maintenance standards, and make the owners responsible for the costs of conforming and maintaining the private road.

Your Committee received testimony in support of this measure from Bank of Hawaii, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and Kaka'ako United. Your Committee received comments on this measure from the Hawaii Community Development Authority.

Your Committee finds that a significant number of private roads are used by the general public in the Kaka'ako community development district. In some cases, the owner charges a fee for the use of the road by members of the public. Some of these private roads have fallen into disrepair because the owners have not maintained the roads sufficient to meet the county's



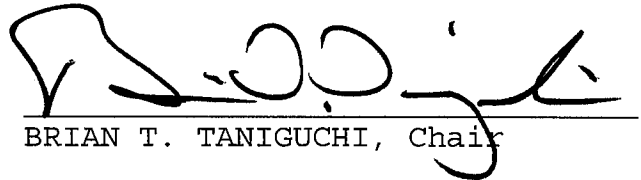
maintenance standards for county highways. Your Committee further finds that private roads that are used by the public and whose owners charge a fee for that use should be maintained to the same standard as other public roads, and that owners who profit from public use should be responsible for the costs of that maintenance.

Your Committee has amended this measure by:

- (1) Making it effective upon approval; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

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. 2275, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2275, H.D. 2, S.D. 2.

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



BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>HB2275, HD2, SD1</i>	<i>TRE/PSM, JDC</i>	<i>3/29/2018</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	<i>4</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Karl Rhoads</i>				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes