

Harry Kim
Mayor



Wil Okabe
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai‘i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai‘i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai‘i 96740
(808) 323-4444 • Fax (808) 323-4440

March 11, 2019

Representative Chris Lee, Chair
Representative Joy A. San Buenaventura, Vice Chair
Committee on Judiciary

Dear Chair Lee, Vice Chair San Buenaventura, and Committee Members:

RE: SB 464, SD2 Relating to Private Property

Albizia is an attractive but extremely dangerous invasive species. It is hazardous to residents, travelers, first responders, and anyone in the vicinity of its brittle limbs.

SB 464, SD2, is an attempt to allow landowners, adjacent to a property that has albizia, to take action to deal with the danger, but within clearly defined limits. This provision is worthy of endorsement—laws should be passed that are good for the community, and that are limited so as to assure minimal infringement of the rights of others.

I am concerned that the use of the phrase “control...trees” may not be broad enough to accomplish the purpose of this bill. I believe the intent should be to “fell and remove” such trees as described in (a) (1) (B) of the bill, but “control” might be interpreted as something closer to “trimming.” I would suggest that “control” be replaced by a stronger word or phrase, or a definition be added that states that “control” includes “felling and removal.” Perhaps copy HRS 194-5, also dealing with invasive species, which uses the phrase “control or eradication.”

There is a minor typo on page 2, line 13, where the word “that” is repeated.

I hope you will act favorably on SB 464, SD2.

Respectfully Submitted,


Harry Kim
MAYOR