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March 11, 2019

Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair
Committee on Public Safety, Intergovernmental, and Military Affairs

Dear Chair Nishihara, Vice Chair Wakai and Committee Members:

RE: HB 213, HD1 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.

HB 213, HD1 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.”

I hope you will act favorably on HB 213, HD1.

Respectfully Submitted,

Harry Kim
MAYOR