

Honolulu, Hawaii

April 27, 2006

RE: H.B. No. 2772
H.D. 1
S.D. 2
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2772, H.D. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE TO AGRICULTURAL AND AQUACULTURAL PROPERTY,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to protect Hawaii's agricultural and aquacultural industries by establishing that a person commits the offense of criminal property damage:

- (1) In the first degree, if the person intentionally or knowingly damages the agricultural or aquacultural equipment, supplies, or products of another without the other's consent, in an amount exceeding \$1,500; provided that in calculating the damage, the value of future crops that were damaged is included;



- (2) In the second degree, if the person intentionally or knowingly damages the agricultural or aquacultural equipment, supplies, or products of another without the other's consent, in an amount exceeding \$500; provided that in calculating the damage, the value of future crops that were damaged is included; and
- (3) In the third degree, if the person intentionally damages the agricultural or aquacultural equipment, supplies, or products of another without the other's consent.

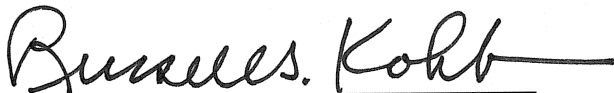
After further consideration, your Committee on Conference has amended this measure by:

- (1) Clarifying that a person commits the offense of criminal property damage in the third degree if the person intentionally damages the agricultural or aquacultural equipment, supplies, or products of another without the other's consent, in an amount exceeding \$100; provided that in calculating the damage, the value of future crops that were damaged is included; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

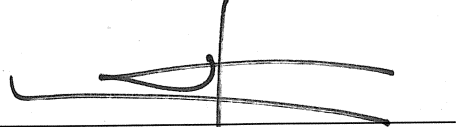
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2772, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2772, H.D. 1, S.D. 2, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE SENATE

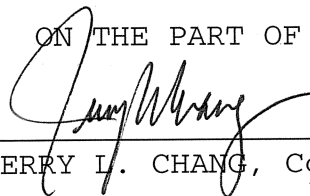


RUSSELL S. KOKUBUN, Chair

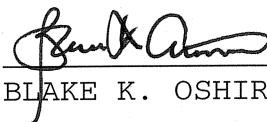


COLLEEN HANABUSA, Co-Chair

ON THE PART OF THE HOUSE



JERRY L. CHANG, Co-Chair



BLAKE K. OSHIRO, Co-Chair



**Record of Votes of a
Conference Committee**

Bill / Concurrent Resolution No.: HB 2772, HD 1, SD 2	Date/Time: 4/27/06 10:30am
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

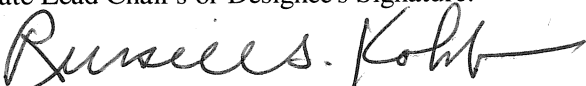
The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.


Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
KOKUBUN, Russell S., Chr.	✓				CHANG, Jerry L., Co-Chr.	✓			
HANABUSA, Colleen, Co-Chr.	✓				OSHIRO, Blake K., Co-Chr.	✓			
HEMMINGS, Fred	✓				HALFORD, Chris	✓			
TOTAL	3				TOTAL	3			

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is:
 Adopted Not Adopted

House Recommendation is:
 Adopted Not Adopted

Senate Lead Chair's or Designee's Signature:


House Lead Chair's or Designee's Signature:


Distribution: **Original** **Yellow** **Pink** **Goldenrod**
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