

Honolulu, Hawaii

March 2, 2006

RE: H.B. No. 2859
H.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2859 entitled:

"A BILL FOR AN ACT RELATING TO FENCING,"

begs leave to report as follows:

The purpose of this bill is to prevent livestock from breaking fences that keep them contained within the rancher's property by making neighboring landowners liable for knowingly creating conditions that allow the fence to become broken.

The Representative from the 7th Representative District, Hawaii Cattlemen's Council, and Hawaii Farm Bureau testified in support of this bill. The Department of Land and Natural Resources opposed this measure. FR Cattle Company offered comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to January 1, 2006, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity and style.



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. 2859, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2859, H.D. 1, and be placed on the calendar for Third Reading.

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


SYLVIA LUKE, Chair



