

Honolulu, Hawaii
Feb 14, 2008

RE: H.B. No. 2358
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Water, Land, Ocean Resources & Hawaiian
Affairs, to which was referred H.B. No. 2358 entitled:

"A BILL FOR AN ACT RELATING TO LIABILITY,"

begs leave to report as follows:

The purpose of this bill is to encourage and support
agriculture by providing that an owner of an irrigation system
does not owe a duty of care to a trespasser who enters land
containing or bordering the irrigation system.

The Department of Agriculture and Agribusiness Development
Corporation testified in support of this bill. The Consumer
Lawyers of Hawaii opposed this measure.

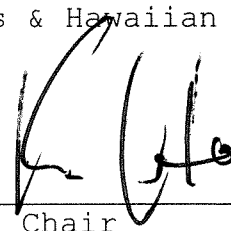
Your Committee has amended this bill by:

- (1) Amending the definition of "irrigation systems" to
include the access trails used to access the
agricultural water distribution system; and
- (2) Making technical, nonsubstantive amendments for style,
clarity, and consistency.



As affirmed by the record of votes of the members of your Committee on Water, Land, Ocean Resources & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2358, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2358, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, Ocean
Resources & Hawaiian Affairs,



KEN ITO, Chair



