

Honolulu, Hawaii

Feb 12, 2010

RE: H.B. No. 2779
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Agriculture, to which was referred H.B. No. 2779 entitled:

"A BILL FOR AN ACT RELATING TO STATE LEASES,"

begs leave to report as follows:

The purpose of this bill is to allow an agricultural or aquacultural lessee to erect or use a temporary structure on state leased lands without state or county approval or a county building permit provided the structure is temporary, meets certain structural requirements, and the lessee signs a waiver releasing the county from liability.

The Hawaii Farm Bureau Federation and Waimea Hawaiian Homesteaders' Association, Inc. testified in support of this bill. The Department of Agriculture, Department of Land and Natural Resources opposed this measure. The Department of Public Works of the County of Hawaii and Agribusiness Development Corporation provided comments.

Your Committee notes that private insurance should be sought to cover liability issues for these temporary structures.

Your Committee has amended this bill by:

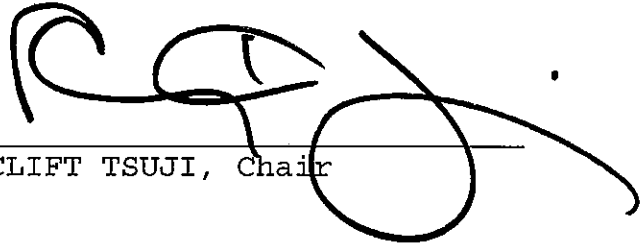
- (1) Defining temporary structure; and



(2) Requiring the lessee to sign a waiver releasing the state from liability, as well as the county.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2779, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2779, H.D. 1, and be referred to the Committee on Water, Land, & Ocean Resources.


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



CLIFT TSUJI, Chair



Record of Votes of the Committee on Agriculture

Bill/Resolution No.: HD 2779	Committee Referral: AGR, WLO	Date: 2/10/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
AGR Members	Ayes	Ayes (WR)	Nays	Excused
1. TSUJI, Clift (C)	✓			
2. WOOLEY, Jessica (VC)	✓			
3. BERG, Lyla B.				✓
4. CHOY, Isaac W.	✓			
5. EVANS, Cindy	✓			
6. MANAHAN, Joey				✓
7. McKELVEY, Angus L.K.	✓			
8. TAKAI, K. Mark				✓
9. TOKIOKA, James Kunane				✓
10. WAKAI, Glenn				✓
11. MARUMOTO, Barbara C.		✓		
TOTAL (11)	5	1	0	5
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				