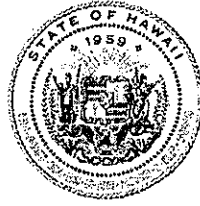
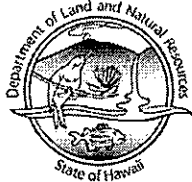


TESTIMONY
SB 2522

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
LAURA H. THIELEN
Chairperson**

**Before the Senate Committee on
WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS**

**Friday, February 5, 2010
2:45 PM
State Capitol, Conference Room 229**

**In consideration of
SENATE BILL 2522
RELATING TO LANDOWNER LIABILITY**

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Senate Bill 2522 provides limited liability protection for private landowners against trespass. The Department of Land and Natural Resources (Department) comments that the protections extended to private landowners should also be extended to include posted public lands. The Department has many lands that are closed or have limited public access for reasons of public safety, security and protection of resources and should be given the same benefits from protection against trespass as private lands. Examples of closed and posted areas include dangerous natural features such as active lava flows, rock fall hazard sites, fenced equipment yards and baseyards, historic buildings, burials, caves with burials, sensitive cultural sites, hazardous cliffs, and sensitive habitats that support native resources and endangered species.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2010 9:48 AM
To: WTLTestimony
Cc: gladys.baisa@mauicounty.us
Subject: Testimony for SB2522 on 2/5/2010 2:45:00 PM

Testimony for WTL 2/5/2010 2:45:00 PM SB2522

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Councilmember Gladys C Baisa
Organization: Individual
Address: 200 High St. Wailuku, HI 969793
Phone: 808 270-7939
E-mail: gladys.baisa@mauicounty.us
Submitted on: 2/4/2010

Comments:

**TESTIMONY OF ROBERT TOYOFUKU ON BEHALF OF THE HAWAII
ASSOCIATION FOR JUSTICE (HAJ) formerly known as the CONSUMER
LAWYERS OF HAWAII (CLH) IN OPPOSITION TO S.B. NO. 2522**

February 5, 2010

To: Chairman Clayton Hee and Members of the Senate Committee on Water, Land, Agriculture, and Hawaiian Affairs:

My name is Bob Toyofuku and I am presenting this testimony on behalf of the Hawaii Association for Justice (HAJ) in opposition to S.B. No. 2522.

The provisions of this bill significantly change the current law in Hawaii. This bill creates a distinction between a trespasser, an invitee and a licensee. The Hawaii Supreme Court abolished these common law status conditions in 1969 consistent with the modern trend throughout the country. The court ruled in that case which is still the law today that a landowner simply has a duty of care to use the standard duty of reasonable care for the safety of all persons reasonably anticipated to be on the premises regardless of the legal status of the individual.

This bill basically gives immunity to a landowner if an individual, such as a child, comes onto the property, is technically a trespasser, and is injured because of an attractive nuisance or a known danger on the land. HAJ has always maintained that proponents of an immunity type bill should at least provide the legislature with the data that clearly indicates the number and type of lawsuits that have been filed against private landowners by trespassers who have been hurt on their land, any resulting judgment against the landowner, and the circumstances under which the landowner was found to be negligent. We have always maintained that the legislature should have all of the facts and data

before a major shift in public policy is made. We feel that this bill is not in the public interest and would be creating bad public policy.

Generally, under traditional common law, the property owner owed no duty to a trespasser whose presence on the land was unknown; nor was there a duty to discover the presence of trespassers. That remains the current law. There is no automatic or strict liability for injuries to trespassers. Under current law, an obligation to keep property reasonably safe or to warn of dangers to a trespasser arises only if the landowner reasonably anticipated the presence of the trespasser on the property. If for example, a landowner lives next to an elementary school and knows that children frequently come onto the property to retrieve balls, Frisbees and other toys that occasionally land in the yard during recess, then the children's presence would be reasonably anticipated - - even though the children are technically trespassers. The same applies to an elderly person who stands under a tree on private property next to a bus stop for shade from the hot sun. Even a pedestrian walking on sidewalks downtown frequently walks on private property because much of the sidewalks are privately owned and maintained. It would be absurd to give immunity to the Bank of Hawaii or First Hawaiian for failure to maintain its downtown sidewalks. That would be the result if this measure were enacted and no trespassing notices were posted.

If certain landowners are having a specific problem with trespassers, then that problem should be examined and legislation, if appropriate, should address that problem and apply broadly with unintended consequences. It is important to keep in mind that the word "trespasser" has a popular connotation of a person who is intentionally violating property rights with an evil or criminal intent. The legal definition however is much

broader so many, if not most, “trespassers” are actually innocent people who mean no harm to the land or landowner.

This bill is a radical change in social policy and I urge this committee to do a thorough analysis to consider the need for such legislation, and if so, whether more specific and less drastic measures are more appropriate. Because of the reasons stated above, HAJ strongly opposes this bill and requests that it not pass out of this committee.

Thank you for the opportunity to testify.



Hawaii Agriculture Research Center

Administration: P.O. Box 100, Kunia, HI 96759

Ph: 808-621-1350/Fax: 808-621-1359

TESTIMONY BEFORE THE SENATE COMMITTEE ON WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS

SENATE BILL 2522

RELATING TO LANDOWNER LIABILITY

February 5, 2010

Chairman Hee and Members of the Committee:

My name is Stephanie Whalen. I am Executive Director of the Hawaii Agriculture Research Center (HARC). I am testifying today on behalf of the center and our research and support staff.

HARC suggests amending Senate Bill 2522 to remove the signage requirement.

For the most part, lands in agriculture are pretty obvious and can be more hazardous than other land use forms. The land is uneven and unstable when deep plowing is employed; equipment is unsafe for those untrained; lands are not lighted at night, fencing is not reasonable for operations where equipment needs turn-around areas and multiple entry points, etc.

In many cases providing the signage for areas under cultivation is a needless expense. They become graffiti and other vandalism magnets and get in the way of operations requiring continued replacement with little or no benefit.

We urge you to amend **Senate Bill 2522** and thank you for the opportunity to testify.

MAUI CATTLEMEN'S ASSOCIATION

*Maui Cattlemen's
Association*

PO Box 473

Kula, HI 96790

*Board of Directors
and Officers*

Brendan Baltazar

Harry Cambra

Alex Franco

Greg Freil

Jimmy Gomes

William G. Jacintho

John Kim

Mike Murakami

Amber Starr

Toni Thompson

*Sustaining
ranching
communities in
Hawaii*

TESTIMONY

February 3, 2010

Submitted via email: WTLTestimony@Capitol.hawaii.gov

FROM: Maui Cattlemen's Association

TO: Senate Committee on Water, Land,
Agriculture, and Hawaiian Affairs

HEARING DATE: Friday February 5, 2010

HEARING TIME: 2:45 pm. Conference Room 229 State
Capitol

MEASURE: SB 2522

Senator Clayton Hee, Chair
Senator Jill N. Tokuda, Vice Chair
Committee Members,

The Maui Cattlemen's Association is a non-profit organization representing small and large livestock producers in Maui County.

Thank you for introducing a bill that places no duty of care requirement on landowners toward trespassers. We support **SB 2522** with some concerns.

The current law does not require signs to be posted on agriculture property as long as there is a presence of a crop or a fence. However, we are concerned that the requirement to place signs (as proposed in the bill) along miles and miles of fencing will be cost prohibitive. In addition to the initial cost of signs and not too infrequent cost of replacing them due to deterioration from the weather and damage incurred when they are used for

“target practice,” they are blights to the pastoral landscape. The Outdoor Circle has worked long and hard to keep unnecessary signs away from our vistas for good reason. Bright red and white signs along miles of fencing would be contrary to the practices followed by the Outdoor Circle and destroys the aesthetics of the countryside.

Vandals (trespassers) frequently remove signs and throw them aside. There have been numerous cases where farmers and ranchers have replaced signs only to have them again removed by trespassers a few days later. As you might expect, trespassers, when confronted, deny the existence of a sign even though the landowner knows that the sign was recently replaced. Signs have very little utility and largely ignored by scofflaws such as trespassers.

Signs represent a “target” to unthinking and uncaring shooters who have no regard for the safety of humans, livestock, and personal property. Anecdotal evidence of this kind of “target practice” is numerous and to the extent that signs become illegible due to numerous bullet holes.

There is no legal requirement for private property owners to post signs informing the public that they would be trespassing if entry to the property were gained without permission. Agriculture landowners should also enjoy the same consideration.

Thank you for the opportunity to provide comment on this Senate Bill.
You may reach Maui Cattlemen’s Association through the address provided above.

Sincerely,

William Jacintho, President

Amber Starr, Vice President

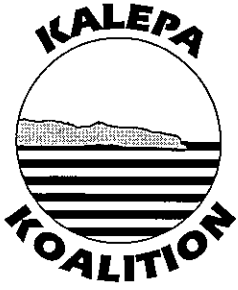
From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2010 10:30 AM
To: WTLTestimony
Cc: higmaui@hawaii.rr.com
Subject: Testimony for SB2522 on 2/5/2010 2:45:00 PM

Testimony for WTL 2/5/2010 2:45:00 PM SB2522

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Shelley Maddigan
Organization: Individual
Address:
Phone:
E-mail: higmaui@hawaii.rr.com
Submitted on: 2/4/2010

Comments:

No trespassing laws need to be enforced to protect the land owner.



Kalepa Koalition

6277 Puuopai Place
Kapaa, Hawaii 96746
Phone/Fax: 808-822-3392

TO: Committee On Water, Land, Agriculture
And Hawaiian Affairs
Senator Clayton Hee, Chairperson

February 2, 2010

RE: **Testimony in Favor of SB 2522 Relating to Landowner Liability**

Aloha, Chairperson Hee:

My name is Leslie Milnes. I am interim chairperson of the Kalepa Koalition, an organization of 13 parcel holders of 6,700 acres of State land on Kauai behind Kalepa Ridge. This land is located between Kapaa and Lihue. The parcel holders are engaged in farming and ranching. The parcel holders have experienced a number of problems with trespass. These include theft of vehicles, damage to fences and gates, cattle rustling, crop theft, killing of horses and cattle. There is also unauthorized hunting on a fairly large scale. The collective losses have been in the tens of thousands of dollars. The area is remote, and not patrolled by any county police force. Upon request, State enforcement officers from DOFAW, will respond to crimes, but there is no regular effort at control, making the parcels easy targets.

Trespassers in hunting parties are obviously armed, and pose an immediate threat to the parcel holders. Many choose not to confront such trespassers at all, out of fear for their own safety. The parcel holders are faced with existing state law requiring them to protect such trespassers from injury while engaged in their illegal entry. This bill seeks to reduce landowner's liability and thus the need for excessive and costly liability insurance. This trespass issue is no small matter. We need protection for farmers and ranchers engaged in the agricultural activity so necessary for the State's economy, well-being and food independence.

Section 663 b.1 and b.2 of SB 2522 as drafted should be modified or eliminated in our opinion. It is our understanding signage requirements already exists in HRS regarding criminal trespass. The wording proposed here actually increases the liability of the land owner, because it puts the burden of precise signage on him or her. With parcels running into hundreds of acres, posting and maintaining signage on all boundaries is difficult, nothing to prevent trespassers from simply tearing signs down.

The Koalition members are strongly in favor of SB 2522 with modifications.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Leslie P. Milnes". The signature is fluid and cursive, written in a dark ink on a white background.

Leslie P. Milnes, Interim Chair



Hawaii Farm Bureau
F E D E R A T I O N

2343 Rose Street, Honolulu, HI 96819
Phone: (808) 848-2074; Neighbor Islands: 1-800-482-1272
Fax: (808) 848-1921; e-mail: info@hfbf.org

TESTIMONY

SB 2522 RELATING TO LANDOWNER LIABILITY

Chair Hee and Members of the Committee:

Hawaii Farm Bureau Federation on behalf of our farmer and ranch families and organizations **SUPPORTS WITH AMENDMENTS** HB2522 providing agricultural landowners liability protection from trespassers.

Prior to Hawaii's economic downturn, many farmers and ranchers were experiencing theft and vandalism on their properties. For theft and vandalism to occur, trespass also occurs. A major concern of our landowners has been the risk of lawsuits stemming from individuals getting hurt while trespassing. This fear is not unreasonable as we all see an increasingly litigious society.

HFBF supports this measure, but respectfully requests that all reference to signage be removed. Instead, reference should be the criteria as identified in HRS 708-814(c) for agricultural trespass where signage is one but not the only way to identify agricultural lands. Prosecutors have reported the difficulties in prosecuting cases where signage is required. "I could not see the sign" was a common defense and violators were set free. It was very frustrating for the police as well as prosecutors. The change in the provisions for agricultural trespass was done in 2005.

HFBF strongly requests your support of this measure including the suggested amendment. This is an important preemptive measure so a lawsuit associated with trespass does not put a viable farm/ranch out of business. If there are any questions, please contact Luella Costales at 848 2074. Thank you

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2010 9:31 AM
To: WTLTestimony
Cc: flammerfamily@aol.com
Subject: Testimony for SB2522 on 2/5/2010 2:45:00 PM

Testimony for WTL 2/5/2010 2:45:00 PM SB2522

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Gina Flammer
Organization: Kula Community Association
Address: P.O. Box 417 Kula, Hi 96790
Phone: (808) 250-6589
E-mail: flammerfamily@aol.com
Submitted on: 2/4/2010

Comments:

The provision requiring posted no trespassing signs is not practical and will create visual pollution. We support the bill and its intent with the stipulation that the sign requirement be removed. Thank you.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2010 11:28 AM
To: WTLTestimony
Cc: bobbiapatnode@fastmail.fm
Subject: Testimony for SB2522 on 2/5/2010 2:45:00 PM

Testimony for WTL 2/5/2010 2:45:00 PM SB2522

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Bobbie Patnode
Organization: Individual
Address: 16547 Haleakala Hwy Kula, HI
Phone: 8088760140
E-mail: bobbiapatnode@fastmail.fm
Submitted on: 2/4/2010

Comments:

We need to protect landowners from legal actions brought by trespassers.

NOBRIGA'S RANCH, INC
P.O. BOX 1170
WAILUKU, HI 96793

February 4, 2010

Honorable Senator Clayton Hee, Chair
Committee on Water, Land, Agriculture and Hawaiian Affairs
Hawaii State Capitol, Room 229
415 South Beretania Street
Honolulu, HI 96813

VIA EMAIL TO WTLTestimony@Capitol.hawaii.gov

Dear Senator Clayton Hee:

My few remarks as to Hearing on Friday, February 5, 2010 at 2:45pm

SB2522-Relating to Landowner Liability

Bill sounds good, but posted with signs is lost cause, since the Trespasser will tear it up. Faster than we can upkeep.

~~SB2527-Relating to Agriculture~~

~~When the Farm Bureau got "agricultural commodity" in they neglected to add livestock of the bovine, equine, swine, sheep, or goat species and the carcasses or meat of those species. We need to be added.~~

~~SB2951-Relating to Agriculture~~

~~Good bill but compensation of what? For the pastoral improvements-sale of livestock on fair market price must be taken into consideration.~~

SB2930-Stink Bill

~~This can wipe out all livestock operation if passed. We are already contacted by DOH on Clean Water Act and EPA regulations. Any time it rains and livestock are in a confined area, there will be smelt. The municipal sewer system creates smell. Our airport has that smell when wind blows the wrong way, will we close that too?~~

~~SB2115-Trespassing Law~~

~~Don't have the written Bill but SB2522 could be a duplicate. Posting signs to comply is a problem. The Trespassers know it's private lands.~~

Respectively Submitted,



BUDDY NOBRIGA
Nobriga's Ranch, Inc.



Hawaii Cattlemen's Council, Inc.

P O Box 437199 Kamuela HI 96743
Phone (808) 885-5599 • Fax (808) 887-1607
e-mail: HCattlemens@hawaii.rr.com

SENATE COMMITTEE ON WATER, LAND, AGRICULTURE AND HAWAIIAN AFFAIRS
Friday February 5, 2010 2:45 pm Room 229

SB 2522 RELATING TO LANDOWNER LIABILITY

Provides that landowners have no duty of care to trespassers. Establishes rebuttable presumption of no liability if the land is posted with signs. Permits trespasser to overcome presumption by preponderance of evidence that owner was grossly negligent or intentionally injured the trespasser.

Chairman Hee and Members of the Committee:

My name is Karin Carswell Guest, and I am the chairperson for our Hawaii Cattlemen's Council Trespass Committee. The Hawaii Cattlemen's Council, Inc. (HCC) is the Statewide umbrella organization comprised of the five county level Cattlemen's Associations. Our 130+ member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State.

Our Trespass committee **strongly supports SB2522 with changes** to the existing provisions requiring signage. Trespassing crimes are very serious to cattle ranchers and other agricultural commodities across the state. Trespassers cause damage to property, increase liability to operators, and pose a serious threat to our food safety issues.

Several years ago we worked hard to amend the law on provisions of trespass not to require signage, so if you had the fence, cattle, crop etc or there evidence of agriculture that became the signage. Otherwise we ended up in a situation that trespassers claimed they "did not see the sign" and got off. The police and prosecutors helped us with the language that became law.

Property damage, such as livestock caught in snares, damaged fences, stealing of agriculture products can be irreversible for the landowner. Thousands of dollars are spent per year in repairing damages created by trespassers and it affects the economic survival for all ag commodities. We are often easy targets because of our remote locations, easy access and limited surveillance. We have a responsibility to be good stewards of our land and trespassers make it difficult to continue that without proper consequences.

Liability is also a tremendous burden for landowners. This bill will limit that liability when trespassers try to claim injury sustained on private property. Landowners cannot have a legal duty to protect a person who is uninvited onto the property and gets injured because of any natural risks or hazards that are inherent characteristics of agricultural land. This bill would seemingly reduce landowner's liability and thus the need for excessive and costly general liability insurance.

My last point is food safety. If agriculture and the food production system is constantly the target for disruption, destruction or altering of the production of food, it will pose a serious problem for the food safety of our entire state. In times when we are trying to increase local food production state wide, agricultural landowners need to carry less liability and need to be encouraged to have profitable ag enterprises.

In closing, trespassers can ultimately create intense damage to our agricultural economy and this needs to be prevented by stricter laws. We need to increase advocacy for farmers and ranchers who want to continue to produce food in an efficient, profitable, and responsible manner. Government needs to protect the intrinsic value of ranchers and farmers for the present and the future, by making greater efforts to limit liability of all agricultural landowners and Bill SB2522 will create that.

Thank you for giving me the opportunity to testify in favor of this very important issue.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2010 9:56 AM
To: WTLTestimony
Cc: gouldp001@hawaii.rr.com
Subject: Testimony for SB2522 on 2/5/2010 2:45:00 PM

Testimony for WTL 2/5/2010 2:45:00 PM SB2522

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Pam Gould
Organization: Individual
Address: 4020 Kula Hwy Kula HHI
Phone: 808 870 8723
E-mail: gouldp001@hawaii.rr.com
Submitted on: 2/4/2010

Comments:

Princeville Agricultural Community Association
3791-F Ahonui Road
Princeville, Hawaii 96722

February 2, 2010

To: Senate Committee on Water, Land, Agriculture and Hawaiian Affairs
Subject: Support for SB 2522 Relating to Landowner Liability

Dear Chairman Hee and Members of the Committee:

My name is A.C. "Sandy" Brodie. I am the Chairman of the Princeville Agricultural Community Association.

The Association's Executive Committee met today and discussed SB 2522. After minimal deliberation, the Committee unanimously voted to support the bill. We agree that it is unreasonable to expect landowners to have responsibility for trespassers, particularly on agricultural parcels such as those on which we work and live. These properties have inherent hazards, such as livestock, barbed wire fencing, and streams, as a few examples.

Despite posting "No Trespassing" signs, it is not uncommon for uninvited persons to be on our properties. We recently found a man wandering around in one of our pastures. When advised he was on private property and asked what his purpose was, he responded that he was looking for mushrooms! In another instance, a hunter with his dogs and rifle vaulted one of our fences claiming to be in hot pursuit of a wild pig. These types of incursions can add up to a liability nightmare for the landowner.

We request favorable consideration of SB 2522 by your Committee.

Sincerely,

Princeville Agricultural Community Association.
A. C. "Sandy" Brodie, Chairman

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2010 12:23 PM
To: WTLTestimony
Cc: jdmoniz@hawaiiantel.net
Subject: Testimony for SB2522 on 2/5/2010 2:45:00 PM

Testimony for WTL 2/5/2010 2:45:00 PM SB2522

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Jason D. Moniz
Organization: Individual
Address: P. O. Box 428 Paauilo, HI 96776
Phone: 8089608409
E-mail: jdmoniz@hawaiiantel.net
Submitted on: 2/4/2010

Comments:
Supports Hawaii Cattlemen's Council's testimony and postion.

Kauai Cattlemen's Association
Kauai, Hawaii

SENATE COMMITTEE ON WATER, LAND, AGRICULTURE AND HAWAIIAN AFFAIRS

Friday February 5, 2010 2:45 pm Room 229

SB 2522 RELATING TO LANDOWNER LIABILITY

Provides that landowners have no duty of care to trespassers. Establishes rebuttable presumption of no liability if the land is posted with signs. Permits trespasser to overcome presumption by preponderance of evidence that owner was grossly negligent or intentionally injured the trespasser.

Chairman Hee and Members of the Committee:

On behalf of the Kauai Cattlemen' Association (KCA) membership, I Leslie P. Milnes, presiding President, here in respectfully submit testimony in support of the above mentioned SB2522.

KCA strongly supports SB2522 with changes to the existing provisions requiring signage. Trespassing crimes are very serious to cattle ranchers and other agricultural commodities across the state. Trespassers cause damage to property, increase liability to operators, and pose a serious threat to our food safety issues.

Several years ago we worked hard to amend the law on provisions of trespass not to require signage, so if you had the fence, cattle, crop etc or other evidence of agriculture that became the signage. Otherwise we ended up in a situation that trespassers claimed they "did not see the sign" and got off. The police and prosecutors helped us with the language that became law.

In concert with the testimony submitted by the Hawaii Cattlemen's Council, the KCA believes trespass to be a very serious problem for the general agricultural sector. The major points referenced are damage to property by trespassers, theft of machinery and products, increase liability to operators, and the threat posed to our food safety. These issues are of great concern to all agricultural producers and land owners.

By making greater efforts to limit liability of all agricultural landowners and operator/tenants, Bill SB2522 will create more clarity to address trespassers when confronted on property. We need to increase advocacy for farmers and ranchers who want to continue to produce food in an efficient, profitable, and responsible manner. Government has this opportunity to help protect the intrinsic value of ranchers and farmers for the present and the future.

Thank you for giving me the opportunity to testify in favor of this very important issue.

Leslie P. Milnes
President, Kauai Cattlemen's Association

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2010 12:34 PM
To: WTLTestimony
Cc: shingakip@ctahr.hawaii.edu
Subject: Testimony for SB2522 on 2/5/2010 2:45:00 PM

Testimony for WTL 2/5/2010 2:45:00 PM SB2522

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Pamela Shingaki
Organization: Individual
Address: Mauna Place Kula, HI
Phone: 808 5722720
E-mail: shingakip@ctahr.hawaii.edu
Submitted on: 2/4/2010

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2010 12:35 PM
To: WTLTestimony
Cc: aemmsley@hawaii.rr.com
Subject: Testimony for SB2522 on 2/5/2010 2:45:00 PM

Testimony for WTL 2/5/2010 2:45:00 PM SB2522

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Ann Emmsley
Organization: Individual
Address: 2855 Kamaile St Wailuku, HI 96793
Phone: 244-0699
E-mail: aemmsley@hawaii.rr.com
Submitted on: 2/4/2010

Comments:

Trespass liability is serious. Many Ag lands are open and often landowners in many instances would not mind some non-impact uses such as hiking through or even some foraging (hula foliage etc) but cannot allow this because of the burden of liability. People need to be responsible for themselves. Supporting liability lawyers with making landowners responsible for people who trespass without permission or even with permission but without any compensation to the landowner does not protect consumers (it protects lawyers!) but impacts the public's ability to access resources and enjoy the outdoors. When i was a kid we hiked wherever on open lands. It would be nice if our children could enjoy this as well without risking landowners losing their land or other assets.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2010 1:33 PM
To: WTLTestimony
Cc: fujitanid002@hawaii.rr.com
Subject: Testimony for SB2522 on 2/5/2010 2:45:00 PM

Testimony for WTL 2/5/2010 2:45:00 PM SB2522

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Donald S. Fujitani
Organization: Individual
Address: 585 W. Kuiaha Rd. Haiku, HI 96708
Phone: 808 575 9932
E-mail: fujitanid002@hawaii.rr.com
Submitted on: 2/4/2010

Comments:

1

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2010 2:38 PM
To: WTLTestimony
Cc: kevin@hawaiigrowerproducts.com
Subject: Testimony for SB2522 on 2/5/2010 2:45:00 PM

Testimony for WTL 2/5/2010 2:45:00 PM SB2522

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Kevin J Boteilho
Organization: Maui County Farm Bureau
Address: 400 Lehuakona St Kahului, HI 96732
Phone: 808-877-6636
E-mail: kevin@hawaiigrowerproducts.com
Submitted on: 2/4/2010

Comments:

TESTIMONY
SB 2522
(END)