

THE SENATE  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2011

COMMITTEE ON JUDICIARY AND LABOR

Senator Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair

COMMITTEE ON AGRICULTURE

Senator Clarence K. Nishihara, Chair  
Senator Gilbert Kahele, Vice Chair

NOTICE OF HEARING

DATE: Monday, February 07, 2011  
TIME: 9:45 a.m.  
PLACE: Conference Room 016  
State Capitol  
415 South Beretania Street

A G E N D A

[SB 1079](#)

[Testimony](#)

[Status](#)

RELATING TO LANDOWNER LIABILITY.

JDL/AGL, WAM

Establishes a criminal trespass on agricultural lands enforcement fund; provides that owners of agricultural land or range land have no duty of care to trespassers; establishes rebuttable presumption of no liability; permits trespasser to overcome presumption by preponderance of evidence that owner was grossly negligent or intentionally injured the trespasser; authorized fines of up to \$10,000 for the offense of criminal trespass on agricultural lands.

**Decision Making to follow, if time permits.**

**FOR AMENDED HEARING NOTICES:** If the notice is an amended notice, measures that have been deleted are stricken through and measures that have been added are underscored. If there is a measure that is both underscored and stricken through, that measure has been deleted from the agenda.

**Persons wishing to testify should submit testimony in one of the following ways by 24 hours the day prior to the hearing:**

- By Email: Testimony may be emailed if less than 5 pages in length, to the Committee at [JDLTestimony@Capitol.hawaii.gov](mailto:JDLTestimony@Capitol.hawaii.gov) . Please indicate the measure, date and time of the hearing. Email sent to individual offices or any other Senate office will not be accepted.
- By Web: Testimony may be submitted online if less than 4MB in size, at <http://www.capitol.hawaii.gov/emailtestimony>.
- In person: 1 copy of their testimony to the committee clerk, Room 002, State Capitol.
- By fax: Testimony may be faxed if less than 5 pages in length, to the Senate Sergeant-At-Arms Office at 586-6659 or 1-800-586-6659 (toll free for neighbor islands), at least 24 hours prior to the hearing. When faxing, please indicate to which committee the testimony is being submitted and the date and time of the hearing.



**Please note: If you submit your written testimony after 24 hours the day prior to the hearing, please sign-in at the staff table to testify orally. A copy of your testimony may not be available during the hearing but will be posted online for the public after the hearing.**

If you require special assistance or auxiliary aids or services to participate in the public hearing process (i.e., sign or foreign language interpreter or wheelchair accessibility), please contact the committee clerk 24 hours prior to the hearing so arrangements can be made.

Please note: All testimony received by the Hawaii Senate will be posted on the Hawaii Legislature's website. Documents made available through the Testimony hyperlink(s) above may not be posted until the start of the hearing.

Public Folder. A folder labeled "Public Folder" containing the testimonies for the hearing will be available for shared use by members of the public.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT 586-7330.

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Senator Clarence K. Nishihara  
Chair

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Senator Clayton Hee  
Chair

