

Honolulu, Hawaii

April 27, 2012

RE: H.B. No. 280
H.D. 1
S.D. 2
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 280, H.D. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to address economic challenges facing the state coffee certification program while preserving the integrity of Hawaii's coffee industry.

Specifically, the measure effectuates this purpose by:

- (1) Repealing the requirement that all Hawaii-grown green coffee beans be inspected and certified by the Department of Agriculture (DOA) for grade and origin unless otherwise provided by department rules, and instead authorizing DOA to adopt administrative rules relating to the inspection



and certification of the geographic origin of Hawaii-grown green coffee beans;

- (2) Prohibiting the shipment of Hawaii-grown coffee beans outside the area of their geographic origin unless the packaging has been marked with or contains documentation of geographic origin approved by DOA; and
- (3) Making the offense of false labeling of Hawaii-grown coffee with regard to the geographic origin of the coffee a class C felony.

Your Committee on Conference has amended this measure by:

- (1) Adding cherry and parchment coffee to the offense of false labeling, in addition to Hawaii-grown green coffee;
- (2) Adding two new definitions for "cherry coffee" and "parchment coffee";
- (3) Specifying that the penalties, remedies, procedures, and actions relating to the State's agricultural commodities grades and standards law shall not prohibit the county police departments and county prosecutors or state law enforcement agencies from investigating and enforcing criminal violations of Chapter 147, Hawaii Revised Statutes, relating to grades and standards for agricultural commodities and animals; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 280, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 280, H.D. 1, S.D. 2, C.D. 1.



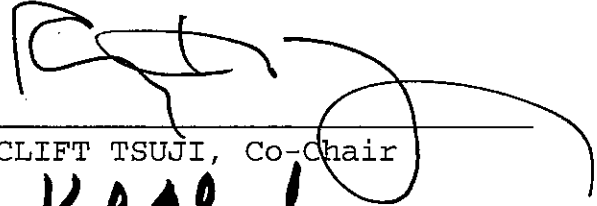
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE



CLARENCE K. NISHIHARA, Chair



CLIFT TSUJI, Co-Chair



MICHELLE KIDANI, Co-Chair



KARL RHOADS, Co-Chair



MARK J. HASHEM, Co-Chair



Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: HB 280, HD 1, SD 2	Date/Time: 4/27/12 11:37 AM
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
NISHIHARA, Clarence K., Chr.	✓				TSUJI, Clift, Co-Chr.	✓			
KIDANI, Michelle N., Co-Chr.	✓				RHOADS, Karl, Co-Chr.	✓			
WAKAI, Glenn	✓				HASHEM, Mark J., Co-Chr.	✓			
SLOM, Sam				✓	RIVIERE, Gil	✓			
TOTAL	3	0	0	1	TOTAL	4	0	0	0

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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