

**hashem1 - Julie**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, January 25, 2012 7:22 PM  
**To:** AGRtestimony  
**Cc:** gypsieme@hotmail.com  
**Subject:** Testimony for HB1833 on 1/27/2012 8:30:00 AM

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Testimony for AGR 1/27/2012 8:30:00 AM HB1833

Conference room: 312  
Testifier position: Support  
Testifier will be present: No  
Submitted by: teri nguyen  
Organization: Individual  
E-mail: [gypsieme@hotmail.com](mailto:gypsieme@hotmail.com)  
Submitted on: 1/25/2012

**Comments:**

Food producers should be exempt from all regulations that make it prohibitive for them to provide fresh healthy food to the people.



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-SIXTH LEGISLATURE, 2012**

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**ON THE FOLLOWING MEASURE:  
H.B. NO. 1833, RELATING TO LIABILITY.**

**BEFORE THE:  
HOUSE COMMITTEE ON AGRICULTURE**

**DATE:** Friday, January 27, 2012 **TIME:** 8:30 a.m.  
**LOCATION:** State Capitol, Room 312  
**TESTIFIER(S):** David M. Louie, Attorney General, or  
Caron M. Inagaki, Deputy Attorney General

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Chair Tsuji and Members of the Committee:

The Department of the Attorney General opposes this measure since it is unclear as to its purpose. The bill, as written, is vague, overly broad, and could potentially hold the State liable for any acts that occur on the public agency's property even if they are purely the acts of private individuals.

For example, if a private vendor at a farmers market sells tainted food and someone suffers food poisoning from that food, this bill could encourage claims to be brought against the public agency simply because the farmers market is held on that agency's property.

It is also unclear what "cafeteria contractors" refers to.

Additionally, because of the unclear wording of the bill, the bill potentially exposes the state to liability for the acts or omissions of county entities. Also, by using the word "indemnify," the bill may create additional liability to the state for the acts or omissions of a public agency for which the state does not now have liability.

Because the bill is unclear as to its purpose and may result in unintended consequences, we request that this bill be held.