

Honolulu, Hawaii
February 5, 2018

RE: H.B. No. 2017
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Agriculture, to which was referred H.B. No. 2017 entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS,"

begs leave to report as follows:

The purpose of this measure is to expand the limited liability protection of agricultural land owners for damages suffered by trespassers to include agricultural lands that are four acres or less and generate at least \$100,000 in annual profits.

The Hawaii County Office of the Prosecuting Attorney, Hawaii Floriculture & Nursery Association, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, and a concerned individual supported this bill. The Department of Agriculture, Hawaii Tropical Fruit Growers, and Ihilani Coffee Company submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the annual profit requirement to an unspecified amount for land that is four acres or less to qualify for limited liability protection; and

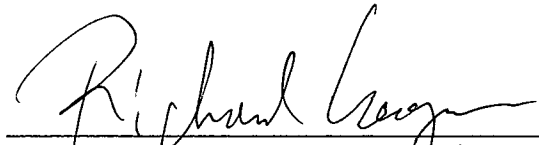


- (2) Changing its effective date to July 31, 2150, to facilitate further discussion.

Your Committee respectfully requests the Committee on Water & Land, should it deliberate on this matter further, to consider using the amount of gross annual sales, rather than annual profits, generated by the agricultural land as the financial requirement for the land owner's limited liability protection.

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. 2017, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2017, H.D. 1, and be referred to your Committee on Water & Land.

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


RICHARD P. CREAGAN, Chair



