

-18

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



STAND. COM. REP. NO. 58 -18 Page 2

(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 Þ. CREAGAN, Cbair



State of Hawaii House of Representatives HSCL 58-18 The Twenty-ninth Legislature

Record of Votes of the Committee on Agriculture

Bill/Resolution No.:Committee Referral:Date:HB 2017AGR, WAL, JUD01 31 10				
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) 				
AGR Members	Ayes	Ayes (WR)	Nays	Excused
1. CREAGAN, Richard P. (C)				
2. DeCOITE, Lynn (VC)	V		nggan (- ma - main - na dhunna larlandanlan dhabhar an 20	
3. GATES, Cedric Asuega				
4. ING, Kaniela				\checkmark
5. SAY, Calvin K.Y.				
6. TAKAYAMA, Gregg				
7. THIELEN, Cynthia	· · · ·			
7. THIELEN, Cynthia				·
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TOTAL (7)	U	0	0	1
The recommendation is: Image: Adopted in the commendation is: Image: Not Adopted in the commendation is: If joint referral,				
Vice Chair's or designee's signature: Lyn De Crito				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				