

**Your Government
Your Affairs
Your Farm Bureau**

A Service of Hawaii Farm Bureau Federation



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Aloha Friends,

As of July 12, the legislative bills that passed this session have either been signed into law, enacted without the Governor's signature or vetoed. The following list represents measures important to agriculture that are now law.

HFBF's members, partners, friends and legislative team worked tirelessly with legislators to help pass favorable bills while opposing those that were detrimental. The collaborative foundation upon which this effort was built cannot be overstated. While each piece of legislation is important, taken together they demonstrate what can be accomplished when we work together.

Equally important is funding included the state budget for irrigation systems statewide, specifically: Lower Hamakua Ditch, Waimanalo irrigation system, Upcountry Maui, Kekaha Ditch on Kauai, Molokai irrigation system, Waiahole water system, Ka'u irrigation system and for a statewide agricultural water use development plan. We will advocate for release of those funds.

Now is the time to begin working on our legislative package for 2012. This process begins with the members. Please solicit input at the county level so we may best articulate, strategize and prioritize the issues that are important to our members. A template for suggesting proposed legislation will be sent to your county Farm Bureau soon.

The 2011 session began with a review of thousands of bills. Screening, ranking, tracking, followed by testimony both written and oral, and lobbying consumes considerable resources; human, political and financial. It's important for your county to have an effective and active participant on the committee.

On a national level, there are many important policy issues that will affect us in Hawaii. Please review the attached American Farm Bureau white papers and help refine these and other issues, share your views with staff, and we will vote on them at convention. Once included in AFBF's policy, we can then draw on AFBF's legislative team for support.

Allow me to again express my appreciation to all those who participated in this collaborative effort; HFBF members, volunteers and staff, countless organizations and individuals, legislators and their staff, State and County officials; who all share in past successes and future victories.

A handwritten signature in black ink, appearing to read "Chris Manfredi".

Chris Manfredi
Vice President
Chairperson, Government Affairs

Hawaii Legislature 2011 Regular Session List of Acts Important to Agriculture

Act 208: Trespass and Landowner Liability HB227 HD2 SD2 CD1; This landmark legislation establishes that farmers and ranchers (on land in excess of four acres that is used primarily for a farming operation) have no liability for any injury, death, loss, or damage suffered by a trespasser unless the farmer/rancher intentionally inflicts harm or is grossly negligent. It also makes entering or remaining unlawfully on unimproved or unused land an offense of second degree criminal trespass if the lands are fenced, enclosed, or a sign is displayed. Finally, it extends second degree criminal trespass to unlawful entering on agricultural land that is fallow or has livestock present even where there are no fences or signs (this is in addition to current trespass law coverage for lands that are fenced OR signed OR with crop).

Act 36: Inspection fees/Invasive species HB865 HD2 SD2; Increases the fee assessed for the inspection, quarantine, and eradication of invasive species contained in any freight from 50 cents to 75 cents for every 1,000 pounds brought into the State to fund pest inspection, quarantine, and eradication. In 2009, 37 of 92 Department of Agriculture inspectors were eliminated. These increased fees will help to avoid layoffs and fund 15 of 22 agriculture inspectors the Legislature helped restore last year.

Act 202: Biosecurity/Inspection Facilities at Airports and Harbors HB1568 HD2 SD2 CD1: This bill addresses a major problem for Hawaii by requiring the Department of Transportation to coordinate with the Department of Agriculture to facilitate inspections at airports. It also requires DOT to provide space and work with HDOA to design and construct biosecurity and inspection facilities at commercial harbors. Air transportation is the highest risk pathway to Hawaii, transporting introduced and invasive species, pests, and illegal plants and animals that threaten Hawaii's agriculture and ecology. The bill also includes authorization for food safety and security practices at facilities to assure agricultural products are adequately handled in transit.

Act 155: Dams and Reservoirs included in Ag Development and Food Security Special Fund SB14 SD2 HD1 CD1; DLNR has recently proposed rules which will increase the cost of owning and operating dams and reservoirs. These costs threaten the continued viability of our agricultural irrigation systems. The legislature was asked for help with the costs of the Dam and Reservoir Safety program. The bill expands the authorized uses of the agricultural development and food security special fund to include the improvement of dams and reservoirs, and water quality testing and improvement, however, no funding was appropriated for this purpose. HFBF continues to work collaboratively with DLNR and stakeholders to minimize the impacts of the new Dam and Reservoir Safety rules on our industries, while meeting public safety needs.

Act 154: Dams and Reservoirs to be considered Important Water Resources by BLNR SB142 SD1 HD1 CD1; Requires the Board of Land and Natural Resources to consider dams and reservoirs as important water resources for the State that provide significant benefits to the general public, including irrigation for agriculture and other important uses, and acknowledge the need for dams and reservoirs to be consistently maintained and operated in a safe and feasible manner that sustains their roles as important water resources; provided that public safety concerns are addressed.

Act 213: PASHA/Young Brothers and PUC decisions SB98 SD2 HD1 CD1; was drafted in response to the recent PUC PASHA decision. It requires that the PUC give notice and hold public hearings on each affected island whenever the commission conducts a public hearing on an application for a certificate.

No authorization to operate as a water carrier will be permitted without specific findings and evidence of need.

Act 232: DLNR Aquaculture leases SB1511 SD1 HD2 CD1; Increases the maximum State lease terms for aquaculture operations from 35 to 65 years. This will help farmers qualify for financing. It allows aquaculture operations in good standing to renew their lease through a direct leasing process rather than through auction and allows for supportive aquaculture activities.

Act 184: Agricultural Loans to New Farmers SB1153 SD1 HD2; Enhances the new farmer program loan interest rate, increases the loan limits and reduces the number of credit denials required to qualify for the program and appropriates funds.

Act 49: Coffee Labeling HB1552 HD1 SD2, Effective July, 2012: this new law restricts the use of a geographic origin on Hawaii-grown coffee labels to improve the consumer's understanding as to the contents of the package. This measure prevents misleading purchasers and protects Hawaii's geographic origins.

Act 217: Solar energy facilities on Ag Land SB631 SD1 HD2 CD1; Defines areas within agricultural lands in which solar energy facilities may be constructed.

Act 185: HDOA Quarantine Station Property Rental SB281 SD2 HD2 CD1; creates the HDOA Animal Industry special fund. It authorizes the use or rental of the Division of Animal Industry property or facilities, including the Quarantine Station for commercial purposes, with income to benefit the Division.

Act 135: Animal Cruelty SB1068 SD1 HD1 CD1; Provides that killing, or attempting to kill, the pet animal of another person constitutes first degree animal cruelty. We were able to add an exception that will allow farmers/ranchers to protect themselves and their livestock from animals that are attacking them.

Act 218: Streamlined Permitting Task Force SB1213 SD1 HD1 CD1; Establishes a temporary task force to review state and county administrative rules to be amended or repealed to expedite and make less burdensome the permitting and approval process.

Act 200: Beekeeping; Registration HB866 HD2 SD2 CD; Allows beekeepers to register with the Department of Agriculture.

Act 229: VOG Task Force HB318 HD2 SD2; Establishes a interagency task force to discuss the impact of VOG on the people of Hawaii and find ways to address these issues.