

STAND. COM. REP. NO. 1900

Honolulu, Hawaii

Ajis , 2007

RE: S.B. No. 1756
S.D. 1
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 1756, S.D. 1, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to expedite the designation of Important Agricultural Lands (IALs) by the Land Use Commission (LUC) by:

- (1) Repealing the existing petition process for landowners or farmers who wish to designate their lands as IALs, and establishing a revised landowner petition process for IAL designation that is codified in the Hawaii Revised Statutes (HRS);
- (2) Exempting the landowner petition process from the stipulation that legislation establishing incentives and protections for IALs be enacted for the designation to take effect;
- (3) Repealing the county process for identifying and mapping IALs;
- (4) Requiring the LUC to, in consultation with certain other private and public entities, identify and designate lands as IALs; and

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- (5) Allowing the LUC to initiate designation of IALs.

In addition, this bill establishes a list of permissible uses for IALS and revises the list of permissible uses for agricultural lands.

Kamehameha Schools supported this bill. The Department of Agriculture supported this bill with amendments. The Office of Planning supported the intent of this measure. A member of the Kauai County Council, Department of Planning and Permitting of the City and County of Honolulu, Hawaii County Planning Department, Hawaii's Thousand Friends, Alexander & Baldwin, Inc., Hawaiian Commercial & Sugar Company, Kauai Coffee Company, Inc., Hawaii Farm Bureau Federation, and a concerned individual opposed this bill. The Hawaii Association of REALTORS submitted comments.

Your Committee has amended this measure by

- (1) Deleting the provisions that:
- (A) Repeal the existing petition process for landowners or farmers who wish to designate their lands as IALS and establish a revised landowner petition process for IAL designation that is codified in the HRS;
 - (B) Exempt the revised landowner petition process from the stipulation that legislation establishing incentives and protections for IALS be enacted for the designation to take effect;
 - (C) Repeal the county process for identifying and mapping IALS;
 - (D) Require the LUC to, in consultation with certain other private and public entities, identify and designate lands as IALS;
 - (E) Allow the LUC to initiate designation of IALS; and
 - (F) Revise the list of permissible uses for agricultural lands;



- (2) Amending the list of permissible uses for IALs by deleting agricultural worker housing and farm dwellings related to farming and animal husbandry from the list;
- (3) Establishing a new landowner petition process in session law that allows a landowner to petition for IAL designation and exempting the new landowner petition process from the stipulation that legislation establishing incentives and protections for IALs be enacted for the designation to take effect;
- (4) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1756, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1756, S.D. 1, H.D. 2.

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



MARCUS R. OSHIRO, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 1900

Record of Votes of the Committee on Finance

Bill/Resolution No.: SB 1756 SD1 HD1		Date: 4/3/07		
Committee Referral: WLH/AGR, FIN		the committee is reconsidering its previous decision on the measure.		
The recommendation is to: <input type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Pass, with amendments, for recommittal for further consideration				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)	✓			
2. LEE, Marilyn B. (VC)	✓			
3. BELATTI, Della Au		✓		
4. BROWER, Tom	✓			
5. CARROLL, Mele	✓			
6. CHONG, Pono	✓			
7. HANOHANO, Faye P.	✓			
8. HAR, Sharon E.	✓			
9. MAGAOAY, Michael Y.	✓			
10. MANAHAN, Joey	✓			
11. MIZUNO, John	✓			
12. NAKASONE, Bob	✓			
13. RHOADS, Karl	✓			
14. SAGUM, Roland D., III	✓			
15. TOKIOKA, James Kunane	✓			
16. AWANA, Karen Leinani	✓			
17. MEYER, Colleen Rose	✓			
18. WARD, Gene, Ph.D.				✓
TOTAL	16	1	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
<i>Marilyn B Lee</i>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				