

STAND. COM. REP. NO.

3207

Honolulu, Hawaii

APR 20 2010

RE: GOV. MSG. NO. 341

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred Governor's Message No. 341, submitting for study and consideration the nomination of:

LAND USE COMMISSION

G.M. No. 341 RANSOM A.K. PILTZ,
for a term to expire 6-30-2014,

begs leave to report as follows:

Your Committee has reviewed the personal history, resume, and statements of the nominee, and finds Ransom A.K. Piltz to have qualifications to be nominated to the Land Use Commission.

Testimony in support of the nomination was submitted by one state agency, one state commission, and four individuals. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Mr. Piltz is presently an at-large member of the Land Use Commission. He received his Bachelor's degree in Business Administration from the University of Dayton, and is presently employed as the Mechanical and Electrical Coordinator for Ledcor Construction - Hawaii, LLC. Mr. Piltz is a businessman, who ran his own electrical contracting company for thirty-three years. He has served as the Chairman of the Maui Planning Commission, President of the Maui Contractors Association, and Chairman of the St. Anthony Junior - Senior High School Board.



Mr. Piltz has served on the Land Use Commission for five years, and the term he is nominated for will expire on April 26, 2013. During his service with the Land Use Commission, he has had to weigh testimony for and against projects from the public, state and county agencies, and developers and land owners. The Commissioners must weigh this testimony and come to a fair decision in light of the policies and laws set by the Legislature. Twenty-five years ago, the State Data Book asserted that 5000 acres of agricultural land was sufficient to supply food for the entire population of the State. As the population grows, so must that estimate of the minimum amount of agricultural land needed to feed the State.

Your Committee was referred a total of four nominees to the Land Use Commission this Regular Session for advise and consent. Three nominees are current Land Use Commissioners and have worked in construction and housing developments. The fourth nominee is a civil litigation attorney with no experience in land issues who will be replacing a current Commissioner who is an attorney in construction litigation. Of the remaining four Commissioners, two are attorneys in construction litigation - one in insurance defense and one in real estate, one Commissioner works in a related construction field, and one is a retired union business agent. While the nominees have come from varied backgrounds, not one nominee is a farmer, conservationist, or ecologist.

Although the State is mandated by Article XI, Section 3 of the Hawaii State Constitution to conserve and protect agricultural lands, the Land Use Commission has reclassified 2,022 acres of conservation (29 acres) and prime agricultural lands (1,993 acres) for urban uses within the last five years. These acres are forever lost for future agriculture use.

In 2005, the Legislature passed Act 183 to implement the intent and purpose of Article XI, Section 3 of the Hawaii State Constitution and establish standards, criteria, and mechanisms to identify important agricultural lands (IAL). In 2008, the Legislature passed Act 233 that provided incentives to private land owners to designate their lands IAL, required the Department of Agriculture and Department of Land and Natural Resources to jointly identify the state-owned lands that should be designated as "important agricultural lands", and transferred management authority over those lands to the Department of Agriculture.



Presently, the Land Use Commission has two pending petitions to reclassify over 2,098 acres of prime agricultural lands on Oahu to urban use (Koa Ridge at 545 acres and Hoopili at 1,554 acres), or twenty per cent of the estimated 10,900 acres of remaining prime agricultural lands on Oahu.

Your Committee is concerned with the lack of identification of prime agricultural lands by both private and public landowners on Oahu. The current laws are inadequate to protect Hawaii's prime agricultural lands if the State does not compile an inventory of remaining prime agricultural lands on all islands. Furthermore, the non-compliance by the Department of Land and Natural Resources and the Department of Agriculture to jointly identify State-owned prime agricultural lands further exacerbates the lack of protection for prime agricultural lands. Perhaps the Legislature should place a moratorium on the reclassification of agricultural lands until identification has been completed.

The Legislature cannot relinquish its authority to reclassify lands to state departments, commissions, or counties. This authority transcends the nominations for key commissions and boards as well. To do otherwise is to fail in our constitutional mandate to protect and preserve agricultural lands.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Agriculture, and Hawaiian
Affairs,



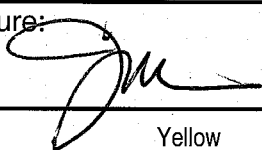
CLAYTON HEE, Chair



Ransom Piltz

The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Water, Land, Agriculture and Hawaiian Affairs
WTL
Advise and Consent

Governor's Message No.:* GM 341	Committee Referral: WTL	Date: 3/31/10		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
TOKUDA, Jill N. (VC)	/			
BUNDA, Robert				/
FUKUNAGA, Carol	/			
KOKUBUN, Russell S.	/			
TAKAMINE, Dwight Y.				/
HEMMINGS, Fred				/
TOTAL	4	0	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy				

*Only one Governor's Message per Record of Votes