

STAND. COM. REP. NO.

1172

Honolulu, Hawaii

MAR 29 2017

RE: S.C.R. No. 77  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.C.R. No. 77 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A BONA FIDE AGRICULTURAL PRODUCER TASK FORCE TO CREATE A DEFINITION FOR THE TERM "BONA FIDE AGRICULTURAL PRODUCER", "

begs leave to report as follows:

The purpose and intent of this measure is to request the Department of Agriculture to establish a temporary task force for the purpose of creating a definition of "bona fide agricultural producer".

Your Committee received testimony in support of this measure from the Ulupono Initiative; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; and Land Use Research Foundation. Your Committee received comments on this measure from the Department of Agriculture and Office of Hawaiian Affairs.

Your Committee finds that there is no definition for "bona fide agricultural producer" in the Hawaii Revised Statutes, which has led to disagreement among policy makers and stakeholders when crafting legislation and incentives to benefit farmers. Creating a single definition or multiple definitions of "bona fide agricultural producer" may require careful and substantial amendments to the Hawaii Revised Statutes. Creating a definition will likely require the development of standards and criteria to



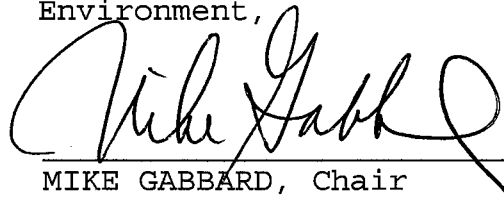
define what constitutes a qualifying level of performance or achievement for each category of agricultural producer and may need to be broad so as to not inadvertently exclude certain farmers.

Your Committee has amended this measure by:

- (1) Expanding the task force to include five additional representatives of farmers and ranchers; a practitioner of Native Hawaiian farming methods; a designee of the Director of Business, Economic Development, and Tourism; and a designee of the Hawaii Association of Counties;
- (2) Extending the deadline for the task force to submit its report to the Legislature to no later than twenty days prior to the convening of the Regular Session of 2019;
- (3) Extending the sunset date of the task force to June 30, 2019; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 77, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 77, S.D. 1.

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




MIKE GABBARD, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

Bill / Resolution No.:* <b>SCR 77</b>	Committee Referral: <b>AEN</b>	Date: <b>3/24/17</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RIVIERE, Gil (VC)	X			
NISHIHARA, Clarence K.	X			
RHOADS, Karl	X			
RUDERMAN, Russell E.				X
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes