

STAND. COM. REP. NO.

3394

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2812
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2812, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to address issues related to the transfer of certain non-agricultural park lands authorized by Act 90, Session Laws of Hawaii 2003 (Act 90).

Specifically, this measure:

- (1) Includes the care and production of pasture lands as an agricultural activity on non-agricultural park lands;
- (2) Requires the Department of Land and Natural Resources to transfer certain non-agricultural park lands to the Department of Agriculture;
- (3) Requires the Department of Land and Natural Resources to accept and return to its land inventory certain parcels or portions of parcels determined by the Department of Agriculture to be unsuitable or unnecessary for agricultural use;
- (4) Requires reports to the Legislature regarding these land transfers; and



- (5) Appropriates funds for the purposes of this Act.

Your Committee received written comments in support of this measure from the Department of Agriculture; Hawaii Beef LLC; Larry Jefts Farms, LLC; County Farm Bureau; Flowers Forever; Pembroke Industries; Aikane Plantation; Hawaii Food Products Inc.; Momona Farm; Mahi Pono; Hawaii Coconut Protectors LLC; M. Kawamura Farm; Wines of Kauai, LLC; Waihale Products; KM Farm and Ranch; Consult and Construct, LLC; Kauai Community Science Center; Meadow Gold Dairies; Matsuda-Fukuyama Farms; Hartung Brothers; Hawaii Cattlemen's Council; Hawaii Aquaculture and Aquaponics Association; Land Use Research Foundation of Hawaii; McCandless Ranch; Maui County Farm Bureau; Local Food Coalition; Hawaii Crop Improvement Association; Ponoholo Ranch Limited; Hawaii Farm Bureau; Kapapala Ranch; New Island Feed, Inc.; Hawaii Farm Bureau Federation; Melvin Kunitake Farm; Kamiya Papaya; Kunia Village Title Holding Corporation; Pacific Ag Consultants; Ajar Inc.; Kahuku Farmers Inc.; Hawaii Meats LLC; Ulupono Initiative; Seymour Resources Hawaii; and numerous individuals.

Your Committee received written comments in opposition to this measure from the Office of Hawaiian Affairs, Department of Land and Natural Resources, Sierra Club of Hawaii, Ahahui Malama I Ka Lokahi/Hawaiians for the Conservation of Native Ecosystems, Conservation Council for Hawaii, and eight individuals.

Your Committee finds that this measure addresses the concerns of the lessees of many large acreages of land, primarily farmers and ranchers, who were notified that the lands they lease would be transferred to the Department of Agriculture pursuant to Act 90, Session Laws of Hawaii 2003. Your Committee further finds that in the intervening seventeen years since the enactment of Act 90, the lands authorized for transfer remain with the Department of Land and Natural Resources.

Your Committee has amended this measure by:

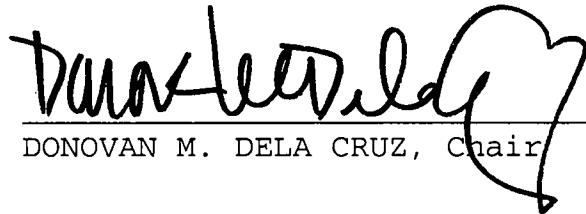
- (1) Requiring, by no later than June 30, 2021, the Department of Land and Natural Resources to transfer certain non-agricultural park lands, listed by tax map key number, to the Department of Agriculture as authorized by section 166E-3, Hawaii Revised Statutes;



- (2) Requiring that the land transfers be executed without limitation; and
- (3) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2812, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2812, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

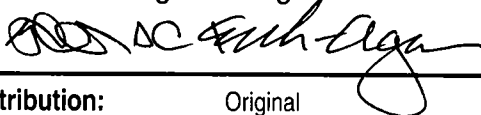


DONOVAN M. DELA CRUZ, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB2812, SD1	WTL/AEN, WAM	02/20/20		
<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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani				X
HARIMOTO, Breene	X			
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i				X
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.		X		
RIVIERE, Gil		X		
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
FEVELLA, Kurt	X			
TOTAL	9	2		2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes