

STAND. COM. REP. NO.

2790

Honolulu, Hawaii

MAR 19 2010

RE: H.B. No. 2290
H.D. 2
S.D. 1

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 H.B. No. 2290, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

begs leave to report as follows:

The purpose of this measure is to promote and support agriculture.

Specifically, this measure:

- (1) Establishes the agriculture inspection and certification special fund;
- (2) Transmits certain fees, civil penalties, and moneys collected by the Department of Agriculture for inspection and certification services to the agriculture inspection and certification special fund;
- (3) Allows the Department to enter into agreements with government and private agencies to hire inspectors;
- (4) Transfers all moneys and unpaid obligations of the certification services revolving fund to the agriculture inspection and certification special fund; and
- (5) Repeals the certification services revolving fund.



Testimony in support of this measure was submitted by one state agency and six organizations. One organization supports the intent and one state agency submitted testimony in opposition. Written testimony presented to the Committee may be reviewed on the Legislature's website.

The Department of Agriculture suffered the greatest loss of any state department as a result of the furloughs and the reduction in force. Your Committee understands that this measure is intended to move the Department of Agriculture's inspection and certifications services to a fee for service structure. However, your Committee is concerned about making drastic, fundamental changes to the structure of the Department of Agriculture's inspection and certification services. Furthermore, your Committee believes that maintaining prime agricultural land on Oahu is essential to the support of the agricultural industry and the Department of Agriculture.

Your Committee finds that the inventory of agricultural land within the State is predetermined and once the land is developed, it can never be used for agriculture again. Prime agricultural land is vital to the State and should be protected and preserved, and yet the prime agricultural land on Oahu is declining rapidly due to the construction of housing and other projects. With projects scheduled to be built on prime agricultural lands in Mokuleia, Kahuku, and the Ewa plain, the need to protect and preserve the State's fertile agricultural lands is critical.

Accordingly, your Committee has amended this measure by replacing its contents with S.B. No. 2780, S.D. 2, which was previously heard and adopted by your Committee. As amended, this measure protects agricultural lands rated class A or B and provides for the mandatory extension of certain agricultural leases. Your Committee finds that this will ensure that prime agricultural land on Oahu will be afforded due preference to recognize and support ongoing farming operations.

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 is in accord with the intent and purpose of H.B. No. 2290, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2290, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.



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



CLAYTON HEE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

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

Bill / Resolution No.:* HB 2290 HD2	Committee Referral: WTL, WAM	Date: 3/15/10		
<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
HEE, Clayton (C)	/			
TOKUDA, Jill N. (VC)				/
BUNDA, Robert	/			
FUKUNAGA, Carol	/			
KOKUBUN, Russell S.	/			
TAKAMINE, Dwight Y.				/
HEMMINGS, Fred				/
TOTAL	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Russell S. Kohrt</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes