

STAND. COM. REP. NO.

488

Honolulu, Hawaii

Feb 16, 2007

RE: H.B. No. 1793
H.D. 1

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

Sir:

Your Committee on Agriculture, to which was referred H.B. No. 1793 entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

begs leave to report as follows:

The purpose of this measure is to support agricultural operations currently in cultivation on certain lands situated on the Ewa plains.

Specifically, this measure would prevent the Land Use Commission from accepting, hearing, or approving any petitions to reclassify certain lands presently under cultivation on the Ewa plains out of the agricultural district.

Your Committee is concerned that there are tenants on these lands that are under agricultural leases that are coming to the end of their terms, but the tenants are in active cultivation of crops on these lands. These crops are finding their way into the local produce market and have become a vital part of that market.

Your Committee has received testimony in support of the intent of this measure from the Department of Agriculture. Your Committee has also received testimony from the City and County of Honolulu, Department of Planning and Permitting, and the fee owner of these lands, D.H. Horton, Schuler Division, in opposition to this measure.

HB1793 HD1 HSCR LRB 07-2290.doc



Your Committee has amended this measure to continue to direct the Land Use Commission to not accept, hear, or act upon any petition to reclassify certain lands on the Ewa plains that are under active cultivation out of the agricultural district while directing the Department of Agriculture to enter into negotiations with the fee owner of these lands to assist in the provision of:

- (1) An extension of the present leases with long-term agricultural leases for the present tenants of the lands that currently are engaged in cultivating agricultural crops on the land; or
- (2) An agreement to assist in the relocation of the tenants of the land that currently are engaged in cultivating agricultural crops on the land at the termination of their current leases to other suitable agricultural lands with sufficient agricultural infrastructure to support the agricultural activities the tenants wish to continue.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1793, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1793, H.D. 1, and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

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



CLIFT TSUJI, Chair



