

Honolulu, Hawaii

March 20, 2008

RE: S.B. No. 2849  
S.D. 1  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred S.B. No. 2849, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to preserve and provide sustainability to the state's agricultural lands by:

- (1) Clarifying that community plantation subdivisions (CPS) refer to established subdivisions and include agricultural support buildings;
- (2) Deleting the requirement that the sugar or pineapple plantation must be in residential use;
- (3) Providing that existing structures on CPSs must be used, rehabilitated, or increased for use within the scope of the CPS statutory provisions; and
- (4) Requiring that employee housing be rented at affordable rates for agricultural workers and that agricultural support buildings must be rented to agricultural business operators or support services.



The Hawaii Farm Bureau Federation, Hawaiian Electric Company, Maui Electric Company, Hawaii Electric Light Company, Hawaii Agriculture Research Center, and Pacific West Energy, LLC, testified in support of this bill. The Department of Agriculture supported the intent of this measure. The Office of Planning, City and County of Honolulu Department of Planning and Permitting, and Hawaii's Thousand Friends provided comments.

This bill's scope addresses structures in plantation community subdivisions and agricultural-energy facilities on agricultural lands. Your Committee requests the Committees on Water, Land, Ocean Resources & Hawaiian Affairs and Agriculture to exercise their expertise in reviewing and further amending, if necessary, the provisions relating to plantation community subdivisions.

Your Committee has amended this bill by:

- (1) Amending its purpose section to increase the scope of the bill by including existing structures on CPSs and the use and rehabilitation of employee rental housing and agricultural support buildings;
- (2) Deleting the language that allows existing structures on CPSs to be increased in size or scope;
- (3) Clarifying the types of renewable energy generated, stored, or distributed by an agricultural-energy facility; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2849, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2849, S.D. 1, H.D. 1, and be referred to the Committees on Water, Land, Ocean Resources & Hawaiian Affairs and Agriculture.



Respectfully submitted on  
behalf of the members of the  
Committee on Energy &  
Environmental Protection,

*Hermina Morita*

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HERMINA MORITA, Chair



