

STAND. COM. REP. NO.

1270

Honolulu, Hawaii

March 27, 2009

RE: S.B. No. 1345
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committees on Water, Land, & Ocean Resources and
Agriculture, to which was referred S.B. No. 1345, S.D. 1,
entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

beg leave to report as follows:

The purpose of this bill is to provide fair compensation and
an automatic lease extension to protect a lessee's interest in
leased state land when the Department of Land and Natural
Resources (DLNR) takes or condemns any portion of the land,
preventing the lessee from using the land as originally intended.

The Hawaii Cattlemen's Association, Inc., Maui Cattlemen's
Association, Farias Cattle Co., and several concerned individuals
supported this bill. DLNR opposed this bill.

Your Committees have amended this bill by:

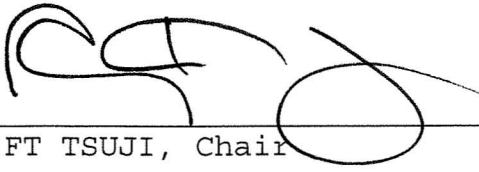
- (1) Clarifying that the formula for determining compensation
for costs attributable to the diminished use of the
lease land includes loss of reasonably anticipated
income minus operating costs; and
- (2) Changing the effective date to July 1, 2020, to
encourage further discussion.

SB1345 HD1 HSCR WLO-AGR HMS 2009-3386



As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1345, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1345, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land, &
Ocean Resources and
Agriculture,



CLIFT TSUJI, Chair



KEN ITO, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

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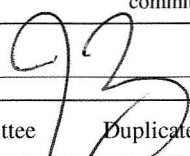
Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.: SB 1345, SD1	Committee Referral: WLO/AGR, FIN	Date: 3/25/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)	✓			
2. HAR, Sharon E. (VC)	✓			
3. CABANILLA, Rida	✓			
4. CHANG, Jerry L.	✓			
5. CHONG, Pono	✓			
6. COFFMAN, Denny	✓			
7. HERKES, Robert N.	✓			
8. LEE, Chris		✓		
9. LUKE, Sylvia				✓
10. MORITA, Hermina M.		✓		
11. SAGUM, Roland D., III	✓			
12. CHING, Corinne W.L.	WLF			✓
13. THIELEN, Cynthia		✓		
TOTAL (13)	WLF 10	3		2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____ K. O. A.				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

State of Hawaii
House of Representatives
The Twenty-fifth Legislature

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Record of Votes of the Committee on Agriculture

Bill/Resolution No.: SB 1345, SD 1	Committee Referral: WLO/AGR, FIN	Date: 3/25/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
AGR Members	Ayes	Ayes (WR)	Nays	Excused
1. TSUJI, Clift (C)	✓			
2. WOOLEY, Jessica (VC)	✓			
3. BERG, Lyla B.				✓
4. CHOY, Isaac W.	✓			
5. EVANS, Cindy	✓			
6. MANAHAN, Joey	✓			
7. McKELVEY, Angus L.K.	✓			
8. TAKAI, K. Mark				
9. TOKIOKA, James Kunane	✓			
10. WAKAI, Glenn				✓
11. MARUMOTO, Barbara C.		✓		
TOTAL (11)	7	1	0	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				