

STAND. COM. REP. NO.

539

Honolulu, Hawaii

FEB 20, 2009

RE: H.B. No. 1009

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 H.B. No. 1009 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC LANDS WHICH ARE
IMPORTANT AGRICULTURAL LANDS,"

beg leave to report as follows:

The purpose of this bill is to ensure the proper use of designated important agricultural lands (IALs) on public lands that are transferred to the Department of Agriculture (DOA), by clarifying that these lands are subject to the same criteria and standards for identifying and designating IALs and have access to certain IAL incentives, provided that the incentives do not contradict or otherwise violate the conditions and requirements of Chapters 166 (relating to agricultural parks) and 166E (relating to non-agricultural park lands), Hawaii Revised Statutes (HRS), under which the DOA is to manage the IALs.

Specifically, this bill, among other things:

- (1) Creates an equivalent but separate class of lands known as "public lands designated as IALs" to differentiate from lands transferred to DOA under the Agricultural Park Program;
- (2) Authorizes the Board of Agriculture to determine which incentives or uses for IALs are to be made available to leases managed under Chapters 166 and 166E, HRS;

HB1009 HSCR WLO-AGR HMS 2009-2310

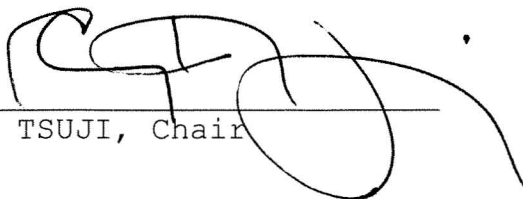


- (3) Extends the deadline for DOA and the Department of Land and Natural Resources (DLNR) to identify the public lands to be transferred from DLNR to DOA, from December 31, 2009, to June 30, 2010;
- (4) Provides for the staggered transfer of public lands from DLNR from June 30, 2011, to June 30, 2012; and
- (5) Exempts public lands designated as IALs from the requirement for periodic review and amendment of IALs maps.

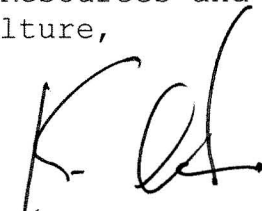
DOA, Office of Planning, and Hawaii Agriculture Research Center testified in support of this bill. The Land Use Research Foundation of Hawaii opposed this measure. The Hawaii Farm Bureau Federation provided comments.

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 H.B. No. 1009 and recommend that it pass Second Reading 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



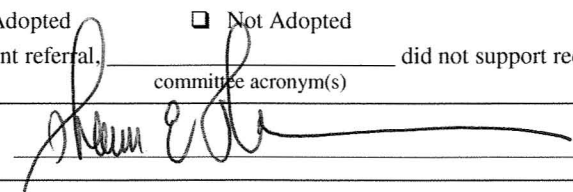
KEN ITO, Chair



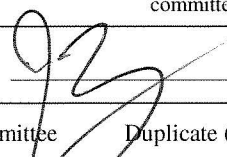
State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 539

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

Bill/Resolution No.: HB1009	Committee Referral: WLO/AGR, FIN	Date: 2/18/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input 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.				✓
13. THIELEN, Cynthia	✓			
TOTAL (13)	7			6
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				

Record of Votes of the Committee on Agriculture

Bill/Resolution No.: HB 1009	Committee Referral: WLO/AGR, FIN	Date: 2/18/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input 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	0	0	3
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				