

STAND. COM. REP. NO.

2171

Honolulu, Hawaii

FEB 10 2010

RE: S.B. No. 2780
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 S.B. No. 2780 entitled:

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

begs leave to report as follows:

The purpose of this measure is to protect agriculturally suitable lands on Oahu, meaning lands with a productivity rating of A or B, and provide for mandatory extensions of agricultural leases.

Testimony in support for this measure was submitted by six organizations and thirty-three individuals. One state agency submitted comments. Testimony in opposition was submitted by one state agency, one county agency, and two organizations. Written testimony presented to the Committee may be reviewed on the Legislature's website.

The recently proposed project of Hoopili, a project to build twelve thousand homes on prime agricultural land rated A and B, an area also referred to as the Golden Triangle of farmland, has raised serious concerns about the effectiveness of the State's efforts to protect prime agricultural land. Since 1991, approximately 3,297 acres of A and B rated agricultural lands have been lost on Oahu alone. Your Committee finds that strict protections of prime agricultural lands are necessary to protect the State's agricultural industry and our future food security.

Your Committee has amended this measure by:

2010-0983 SSCR SMA.doc



- (1) Clarifying that the automatic lease extension shall not apply to leases entered into on or prior to July 1, 2010;
- (2) Permitting the lessee to offer a shorter lease extension or to end the agreement, and clarifying that any additional terms and conditions shall be reasonable and determined by mutual consent;
- (3) Changing the effective date to July 1, 2050 for the purpose of further discussion; and
- (4) Making technical, nonsubstantive changes for the purposes of style and clarity.

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 S.B. No. 2780, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2780, 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



