

Honolulu, Hawaii

March 19, 2010

RE: S.B. No. 2951
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committees on Water, Land, & Ocean Resources and
Agriculture, to which was referred S.B. No. 2951, S.D. 2,
entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

beg leave to report as follows:

The purpose of this bill is to support the agriculture and
ranching industries by providing that lessees of public land for
agricultural or pastoral uses be fairly compensated when all or a
portion of the land is withdrawn, condemned, taken for public
uses, or otherwise made unusable.

The Hawaii Cattlemen's Council, Inc., Kuahiwi Ranch,
McCandless Ranch, and several concerned individuals testified in
support of this bill. The Department of Land and Natural
Resources, Department of Transportation, Sierra Club-Hawaii
Chapter, and Conservation Council for Hawaii opposed this measure.

Your Committees have amended this bill by:

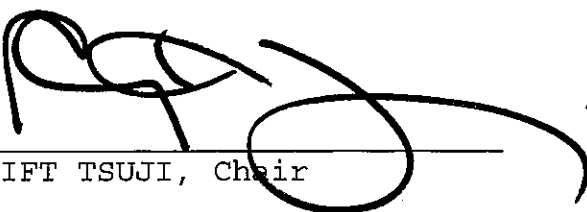
- (1) Providing that if leased public land is withdrawn,
condemned, or taken for public use, that prevents the
lessee from using the land for the original intended
use, the lessee is not required to pay the cost of any
insurance required by BLNR to be maintained, or property
tax, rather than reimbursing the lessee for those costs;



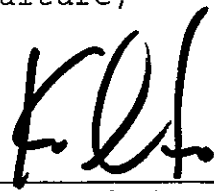
- (2) Providing that the provisions of this bill are only applicable to new leases entered into after the effective date of this Act;
- (3) Providing further that the fair compensation provisions, except for the provision relieving lessees of the obligation to pay insurance and taxes, shall only take effect if the withdrawal or taking occurs after half of the lease term has elapsed;
- (4) Inserting as Part II of the bill, the contents of House Bill No. 2290, H.D. 2, which provides for the establishment of the Agricultural Inspection and Certification Special Fund, to be used for the inspection and certification of imported and exported agricultural commodities;
- (5) Changing the effective date to July 1, 2010; and
- (6) Making technical, nonsubstantive amendments for style, clarity, and consistency.

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. 2951, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2951, S.D. 2, 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

HSCR890-10

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

Bill/Resolution No.: SB 2951, SD2	Committee Referral: WLO/AGR, FIN	Date: 3/18/10		
<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.	✓			
13. THIELEN, Cynthia		✓		
TOTAL (13)	9	3		1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ <div style="text-align: center; font-size: x-large; font-family: cursive;">KCL</div>				
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