



GOV. MSG. NO. 1354

July 12, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

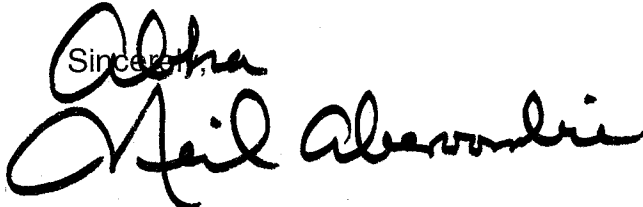
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

I am transmitting herewith SB1559 SD2 HD2, without my approval, and with the statement of objections relating to the measure.

SB1559 SD2 HD2

RELATING TO IMPORTANT AGRICULTURAL
LANDS

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

EXECUTIVE CHAMBERS

HONOLULU

July 12, 2011

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1559

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1559, entitled "A Bill for an Act Relating to Important Agricultural Lands."

The purpose of this bill is to provide incentives for designating land as Important Agricultural Lands ("IAL"). This bill requires priority processing of permit applications for agricultural facilities of an agribusiness which only processes crops or livestock produced on IAL. The bill also requires the public utilities commission to establish preferential rates for the purchase of energy that is used or consumed for agricultural activities on IAL.

This bill is objectionable because this measure may create implementation issues involving dispute resolution, monitoring, and compliance. Furthermore, additional consideration should be given to the overall development of agriculture and which agricultural activities deserve additional support through incentives or favorable treatment.

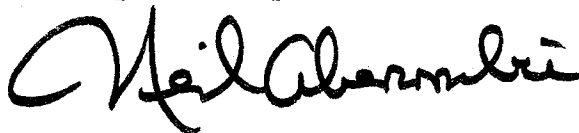
STATEMENT OF OBJECTIONS

SENATE BILL NO. 1559

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For the foregoing reasons, I am returning Senate Bill
No. 1559 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Neil Abercrombie". The signature is written in a cursive, flowing style with a large initial "N".

NEIL ABERCROMBIE
Governor of Hawaii

VETO

THE SENATE
TWENTY-SIXTH LEGISLATURE, 2011
STATE OF HAWAII

S.B. NO. 1559
S.D. 2
H.D. 2

A BILL FOR AN ACT

RELATING TO IMPORTANT AGRICULTURAL LANDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART I

2 SECTION 1. Section 205-46.5, Hawaii Revised Statutes, is
3 amended to read as follows:

4 " [H]§205-46.5[H] Agricultural processing facilities;
5 permits; priority. (a) Any agency subject to this chapter or
6 title 13 that issues permits shall establish and implement a
7 procedure for the priority processing of permit applications and
8 renewals, at no additional cost to the applicant, for
9 agricultural processing facilities that process crops or
10 livestock from an agribusiness; provided that [the]:

11 (1) The majority of the lands held, owned, or used by the
12 agribusiness shall be land designated as important
13 agricultural lands pursuant to this part, excluding
14 lands held, owned, or used by the agribusiness in a
15 conservation district[-]; or

16 (2) All of the crops or livestock processed at the
17 facility is produced on land designated as important
18 agricultural land pursuant to this part; provided that



1 on important agricultural lands, as designated pursuant to
2 sections 205-44 and 205-45.

3 (b) Upon receipt of a bona fide request for the purchase
4 of energy that is used or consumed for agricultural activities
5 on important agricultural lands, and proof that the energy will
6 be used or consumed in conjunction with agricultural activities
7 on important agricultural lands, a public utility shall present
8 the request for preferential rates to the public utilities
9 commission for approval."

10 PART III

11 SECTION 5. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 6. This Act shall take effect upon its approval.

APPROVED this day of , 2011

GOVERNOR OF THE STATE OF HAWAII