

Honolulu, Hawaii

March 23, 2012

RE: S.B. No. 2375
S.D. 3
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Agriculture and Economic Revitalization & Business, to which was referred S.B. No. 2375, S.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURAL-BASED COMMERCIAL OPERATIONS,"

beg leave to report as follows:

The purpose of this measure is to:

- (1) Permit producer-operated, agricultural-based commercial operations in agricultural districts;
- (2) Include as permissible agricultural-based commercial operations:
 - (A) The preparation and sale of certain food by a producer-operated retail food establishment; and
 - (B) The sale of logo items related to a producer's agricultural operation; and
- (3) Include agricultural-based commercial operations under the definition of "farming operation" in the Hawaii Right to Farm Act, codified in chapter 165, Hawaii Revised Statutes.



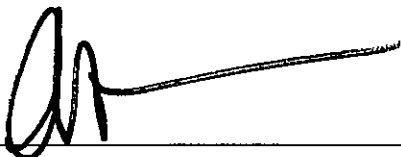
Kahuku Farms, Matsuda-Fukuyama Farms, Kahuku Farmers, Kamehameha Schools, Environmental Caucus of the Democratic Party of Hawaii, Hawaii Aquaculture and Aquaponics Association, and two individuals supported this measure. The Department of Agriculture supported the intent of this measure. The Hawaii Farm Bureau Federation supported this measure with amendments. The Department of Planning and Permitting of the City and County of Honolulu and three individuals opposed this measure.

Your Committees have amended this measure by:

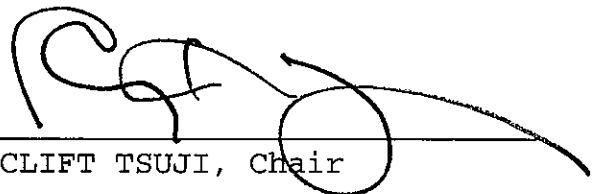
- (1) Specifying that the allowed agricultural-based commercial operations be producer- owned and operated;
- (2) Specifying that the products permitted to be sold with respect to agricultural-based commercial operations be grown on the premises or in the State;
- (3) Changing the effective date to January 20, 2020, for the purpose of facilitating further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Agriculture and Economic Revitalization & Business that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2375, S.D. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2375, S.D. 3, H.D. 1, and be referred to the Committee on Water, Land, & Ocean Resources.

Respectfully submitted on
behalf of the members of the
Committees on Agriculture and
Economic Revitalization &
Business,



ANGUS L.K. MCKELVEY, Chair



CLIFT TSUJI, Chair



HSOR 1259-12

State of Hawaii
House of Representatives
The Twenty-sixth Legislature

Record of Votes of the Committee on Agriculture

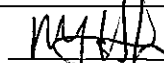
Bill/Resolution No.: SB 2375, SD3	Committee Referral: AGR/ERB, WLO	Date: 3/21/12
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 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. HASHEM, Mark J. (VC)	✓			
3. AWANA, Karen L.	✓			
4. BROWER, Tom	✓			
5. CHOY, Isaac W.	✓			
6. EVANS, Cindy	✓			
7. McKELVEY, Angus L.K.	✓			
8. NISHIMOTO, Scott Y.	✓			
9. TOKIOKA, James Kunane	✓			
10. MARUMOTO, Barbara C.	✓			
11. RIVIERE, Gil	✓			
TOTAL (11)	11	0	0	0

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
 _____ committee acronym(s)

Vice Chair's or designee's signature: 

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