

STAND. COM. REP. NO.

2291

Honolulu, Hawaii

FEB 17 2012

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

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Agriculture, to which was referred S.B. No. 2375 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to allow for agricultural-based commercial operations in agricultural districts.

Your Committee received testimony in support of this measure from the Hawaii Aquaculture and Aquaponics Association; Kahuku Farms; Kamehameha Schools; Hawaii Farm Bureau Federation; Aquaculture Planning and Advocacy, LLC; Environmental Caucus of the Democratic Party of Hawaii; and one individual. Your Committee received testimony in opposition to this measure from the City and County of Honolulu Department of Planning and Permitting. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that this measure will provide agricultural producers with an additional outlet to sell their products. This measure will allow agricultural producers to explore creative ways to market their products to the community, while connecting the general public with fresh, locally grown agricultural products.

Your Committee has amended this measure by:

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- (1) Including fresh agricultural products grown in Hawaii and value-added products that were produced using primarily raw Hawaii agricultural materials displayed and sold by roadside stands or producer-operated enclosed structures as products that may be sold or displayed at agricultural-based commercial operations;
- (2) Removing the authority for agricultural-based commercial operations to sell logo items related to Hawaii agricultural operations and other food items;
- (3) Removing retail food establishments as an authorized agricultural-based commercial operation in agricultural districts;
- (4) Requiring that agricultural-based commercial operations in agricultural districts be producer-operated; and
- (5) Requiring that producer-operators certify, upon request, that the agricultural products displayed or sold by the operation meet all of the requirements for agricultural-based commercial operations in agricultural districts.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2375, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2375, S.D. 1, and be referred to the Committee on Water, Land, and Housing.

Respectfully submitted on
behalf of the members of the
Committee on Agriculture,


CLARENCE K. NISHIHARA, Chair



