

Honolulu, Hawaii

FEB 20 2015

RE: S.B. No. 1374  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committees on Water and Land, Public Safety, Intergovernmental and Military Affairs, and Agriculture, to which was referred S.B. No. 1374 entitled:

"A BILL FOR AN ACT RELATING TO LAND EXCHANGE,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Appropriate funds to the Department of Budget and Finance, in coordination with the Department of Accounting and General Services and Department of Land and Natural Resources, to investigate the possibility of exchanging state land for certain parcels of land currently owned by Dole Food Company, Inc., that are located between central Oahu and the north shore area, and to pay for costs of executing the exchange if appropriate state land is found, taking into consideration the market value of the state lands to be exchanged; and
- (2) Appropriate funds to the Department of Public Safety and the Department of Agriculture to investigate the possibility of a land exchange of certain state lands between the Department of Public Safety and the Department of Agriculture, and how that exchange could be further utilized in acquiring certain parcels of land by Dole Food Company, Inc., and Castle and Cooke, Inc., for agricultural purposes.



Your Committees received testimony in support of this measure from the Department of Agriculture; Office of Planning; Agribusiness Development Corporation; Dole Food Co. Hawaii; Land Use Research Foundation of Hawaii; Chamber of Commerce Hawaii; Hawaii Farm Bureau; Larry Jefts Farms, LLC; Hawaii Cattlemen's Council; Hawaii Aquaculture & Aquaponics Association; Hawaii Agriculture Research Center; and thirteen individuals. Your Committees received testimony in opposition to this measure from the Conservation Council for Hawai'i and eleven individuals. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Land and Natural Resources, Office of Hawaiian Affairs, The Trust for Public Land, Hawaiian Islands Land Trust, and Community Alliance on Prisons.

Your Committees find that agriculture was the economic mainstay of the central Oahu plains not too long ago. This industry, specifically sugar cane and pineapple, had a greater stake in how and where communities grew. However, in 1996, the Waialua Sugar Mill closed, and in 2008, Del Monte fresh produce ended operations. What remains are several thousand acres of agricultural lands that is in diversified agricultural production on short-term leases or left fallow. Dole Food Company, Inc., has listed over fifteen thousand acres of these lands, including lands designated as conservation and watershed lands, for sale on Oahu between the area of central Oahu and the north shore.

Your Committees further find that among the possible methods of acquiring these lands is a land exchange. Over the past few years, the State has made it a priority to shift toward sustainability in agriculture and decreasing our food imports.

Your Committees further find that Hawaii's prison system is overcrowded and outdated, as nearly 1,400 Hawaii prisoners were in mainland facilities as of 2014. The current facilities in Hawaii are deteriorated, over-capacity, and poorly designed. Over the years, the Department of Public Safety has been exploring options to alleviate overcrowding in the State's prisons. Options include replacing the State's largest jail facility, the Oahu Community Correctional Center in Honolulu, or expanding the State's largest prison, the Halawa medium security facility. There is an opportunity, through a land exchange, for the State to relocate the Oahu Community Correctional Center to Halawa in addition to expanding the Halawa medium security facility.



Your Committees have amended this measure by:

- (1) Removing the Department of Budget and Finance and the Department of Accounting and General Services as expending agencies, and placing responsibility to conduct due diligence of the properties upon the Department of Land and Natural Resources for conservation lands and upon the Agribusiness Development Corporation for the agricultural lands;
- (2) Limiting the expenditures from the land conservation fund to \$200,000 for one year for the purpose of investigating the possibility of acquiring certain Dole lands that are in conservation district and suitable for watershed protection and to identify which of the Dole lands are in the conservation district;
- (3) Appropriating general funds for one year in an amount of \$400,000 for the Agribusiness Development Corporation to investigate the possibility of acquiring certain Dole lands that are suitable for diversified agriculture and to identify which of the Dole lands are in the agricultural district;
- (4) Appropriating an unspecified amount of general funds to the Department of Public Safety and Department of Agriculture to investigate a land exchange and deleting the second year of the appropriation;
- (5) Requiring the Department of Land and Natural Resources, Department of Public Safety, Department of Agriculture, and Agribusiness Development Corporation to submit a consolidated report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2016 on:
  - (A) The feasibility of a land exchange of parcels of high interest to the State; and
  - (B) Any appropriations, proposed legislation, or administrative action necessary to accomplish the goals of this measure;
- (6) Changing the preamble to reflect the amendments; and



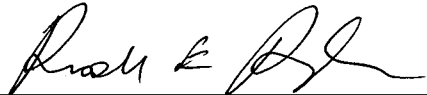
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land, Public Safety, Intergovernmental and Military Affairs, and Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1374, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1374, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Water and Land, Public Safety, Intergovernmental and Military Affairs, and Agriculture,

  
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WILL ESPERO, Chair


  
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LAURA H. THIELEN, Chair

  
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RUSSELL E. RUDERMAN, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1374	WTL/PSM/AGL, WAM	02.18.15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
THIELEN, Laura H. (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
IHARA, Jr., Les	✓			
RIVIERE, Gil		✓		
RUDERMAN, Russell E.	✓			
SHIMABUKURO, Maile S.L.	✓			
SLOM, Sam				✓
<b>TOTAL</b>	5	1		1
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
				
<b>Distribution:</b>				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes

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 Twenty-Eighth Legislature  
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**Record of Votes**  
**Committee on Public Safety, Intergovernmental and Military Affairs**  
**PSM**

Bill / Resolution No.:* <span style="font-size: 1.2em; font-family: cursive;">SB 1374</span>	Committee Referral: <span style="font-size: 1.2em; font-family: cursive;">WTL/PSM/AGL, WAM</span>	Date: <span style="font-size: 1.2em; font-family: cursive;">2-19-15</span>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended <span style="margin-left: 100px;"><input checked="" type="checkbox"/> Pass, with amendments</span> <span style="margin-left: 100px;"><input type="checkbox"/> Hold</span> <span style="margin-left: 100px;"><input type="checkbox"/> Recommit</span> <span style="margin-left: 20px;">2312</span> <span style="margin-left: 100px;">2311</span> <span style="margin-left: 100px;">2310</span> <span style="margin-left: 100px;">2313</span>				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood	✓			
KEITH-AGARAN, Gilbert S.C.				✓
SLOM, Sam	✓			
<b>TOTAL</b>	4	-	-	1
Recommendation: <input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">Rosalyn H. Baker</div>				
Distribution:      Original      Yellow      Pink      Goldenrod <span style="margin-left: 40px;">File with Committee Report</span> Clerk's Office      Drafting Agency      Committee File Copy				

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Twenty-Eighth Legislature  
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**Record of Votes**  
**Committee on Agriculture**  
**AGL**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1374	WTL/PSM/AGL, WAM	2/18/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RUDERMAN, Russell E. (C)	X			
RIVIERE, Gil (VC)		X		
CHUN OAKLAND, Suzanne	X			
TANIGUCHI, Brian T.	X			
THIELEN, Laura H.	X			
WAKAI, Glenn				X
SLOM, Sam				X
<b>TOTAL</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>2</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted				
<input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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