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March 28, 2016

HEARING BEFORE THE
SENATE COMMITTEE ON WATER, LAND AND AGRICULTURE

TESTIMONY ON SR 130
REQUESTING THE ESTABLISHMENT OF A BONA FIDE AGRICULTURAL
PRODUCER TASK FORCE TO CREATE A DEFINITION FOR THE TERM "BONA
FIDE AGRICULTURAL PRODUCER".

Room 224
3:00 PM

Aloha Chair Gabbard, Vice Chair Nishihara, and Members of the Committee:

I am Randy Cabral, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,900 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

HFB supports SR 130, which establishes a Bona Fide Agricultural Producer Task Force to create a definition for the term "Bona Fide Agricultural Producer".

Currently there are several references in Hawaii Revised Statutes, Hawaii Administrative Rules, and the Maui County zoning code that provide guidance as to what bona fide agricultural activity means. These include:

1. A Farming operation means a commercial agricultural, silvicultural, or aquacultural facility or pursuit conducted, in whole or in part, including the care and production of livestock and livestock products, poultry and poultry products, apiary products, and plant and animal production for nonfood uses; the planting, cultivating, harvesting, and processing of crops; and the farming or ranching of any plant or animal species in a controlled salt, brackish, or freshwater environment. (from Section 16.5-2 Right-to-Farm Act)
2. The farming operation has been in operation for not less than two years (from Section 171-68, HAR 4-8-3 Agricultural Loan Program Rules, and HAR 4-153-1 Agricultural Park Program Rules)
3. The farmer of the farming operation derives a gross income the majority portion of which is from farming activities (from Section 155-1 Ag Loan Program)

4. The minimum income to the farmer operator is \$35,000 of gross sales of agricultural products for each of the preceding two years as evidenced by State general excise tax forms and Federal Form 1040 Schedule F filings (from Section 19.30A.050 Maui County Code - permitted uses in the agricultural district)

HFB believes that a definition of "bona fide agricultural producer" is necessary to ensure the effectiveness of government policies and programs for agricultural producers while restricting or eliminating the abuse of these policies and programs by non-agricultural users.

The Hawaii Farm Bureau respectfully request that they are added as a member of the Bona Fide Agricultural Producer Task Force. We would also like clarity on the qualifications for the five farmer representatives and the selection process for these five farmers members.

Thank you for the opportunity to comment on this measure.