

STAND. COM. REP. NO.

2948

Honolulu, Hawaii

MAR 15 2018

RE: H.B. No. 1884
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred H.B. No. 1884, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify that:

- (1) "Subsistence farming" is included as a protected activity under the Hawaii Right to Farm Act; and
- (2) The cultivation of crops and activities related to game, fish, and livestock on agricultural lands may be for economic or personal use.

Your Committee received testimony in support of this measure from Ho'omanapono Political Action Committee and O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i. Your Committee received testimony in opposition to this measure from the Office of Planning, Land Use Commission, Office of the Mayor of the County of Hawaii, Hawai'i Farm Bureau, and Land Use Research Foundation. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that subsistence farming is relied upon by many residents and should be protected. However, your



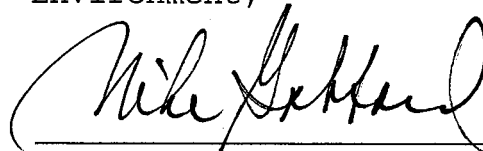
Committee finds that equating subsistence farming with commercial agriculture under the Hawaii Right to Farm Act may lead to numerous zoning and land-use disagreements and disruptions to county administration, which may ultimately cause more harm than good for the agriculture community, including subsistence farmers. Your Committee believes that assuring the right to subsistence farming under the Hawaii State Planning Act preserves the spirit of this measure while avoiding potentially detrimental unintended consequences.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting language that amends the Hawaii State Planning Act to include assurance of the right of Hawaii residents to engage in subsistence farming for direct personal or family consumption under the State's objectives and policies for the economy-agriculture;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1884, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1884, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

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




MIKE GABBARD, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1884 HD 1	AEN, WAM	3/12/18		
<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
GABBARD, Mike (C)	X			
RIVIERE, Gil (VC)	X			
NISHIHARA, Clarence K.	X			
RHOADS, Karl	X			
RUDERMAN, Russell E.	X			
TOTAL	5	0	0	0
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	

*Only one measure per Record of Votes