

STAND. COM. REP. NO.

2503

Honolulu, Hawaii

FEB 16 2018

RE: S.B. No. 2839

S.D. 1

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

Sir:

Your Committees on Agriculture and Environment and Water and Land, to which was referred S.B. No. 2839 entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURAL ENTERPRISES,"

beg leave to report as follows:

The purpose and intent of this measure is to establish a new agricultural enterprise program within the Department of Agriculture to plan, design, construct, operate, manage, maintain, repair, demolish, and remove infrastructure on any lands under the jurisdiction of the Department, to support and promote agriculture and to accept the transfer of qualifying agricultural enterprises and agricultural enterprise lands from the Department of Land and Natural Resources for the program.

Your Committees received testimony in support of this measure from the Department of Agriculture; Hawaii Cattlemen's Council, Inc.; Ulupono Initiative; O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i; and one individual. Your Committees received testimony in opposition to this measure from Animal Rights Hawai'i.

Your Committees find that article XI, section 3, of the Hawaii State Constitution establishes in part that the "State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands." Your Committees



further find that many diversified farming operations do not have adequate resources to expand or maximize their productivity. Your Committees believe that it is in the State's best interest to give the Department of Agriculture flexibility to move forward with agricultural educational training, farmers' markets, and food hubs and processing facilities on state agricultural lands to promote and support diversified agriculture and ensure agricultural sustainability.

Your Committees note that determination should be made as to whether the Department of Agriculture should create a new, third category of lands under its management, or whether it is preferable to amend the definition of agricultural uses to reflect modern, diversified agriculture, and for the definition of bona fide farmer to include the farmer training programs offered by the University of Hawaii College of Tropical Agriculture and Human Resources.

Your Committees have amended this measure by:

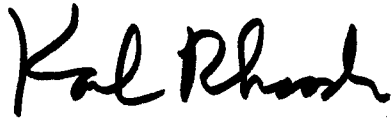
- (1) Clarifying that "agricultural enterprise" means an activity directly and primarily supporting the production and sale of Hawaii agriculture;
- (2) Deleting language that would have allowed the Department of Agriculture to develop agricultural enterprise lands and agricultural enterprises exempt from all statutes, ordinances, charter provisions, and rules of any governmental agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and construction of buildings thereon;
- (3) Inserting an effective date of July 1, 2025, to encourage further discussion; and
- (4) 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 Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2839, as amended herein, and

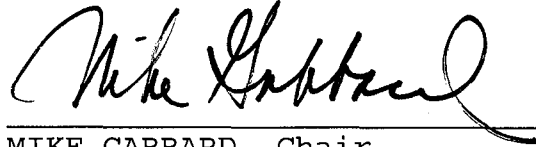


recommend that it pass Second Reading in the form attached hereto as S.B. No. 2839, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Agriculture and
Environment and Water and Land,



KARL RHOADS, Chair




MIKE GABBARD, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i


Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* SB 2839	Committee Referral: AEN/WTL, WAM	Date: 2/15/18		
<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	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2839	AEN/WTL, WAM	2/15/18		
<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
RHOADS, Karl (C)	/			
GABBARD, Mike (VC)	/			
INOUE, Lorraine R.				/
RIVIERE, Gil	/			
THIELEN, Laura H.	/			
TOTAL	4	—	—	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

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