

Honolulu, Hawaii

MAR 1 - 2019

RE: S.B. No. 1167  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 1167 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to promote and support the State's agriculture industry by authorizing agricultural enterprises on lands under the authority of the Department of Agriculture.

More specifically, this measure:

- (1) Authorizes the Department of Agriculture to plan, design, construct, operate, manage, maintain, repair, demolish, and remove facilities on any lands within its jurisdiction, and permit its lessee to do the same;
- (2) Authorizes the department, upon mutual agreement and approval by the Board of Agriculture, to accept the transfer of and manage certain agricultural enterprise lands and agricultural enterprises from the Department of Land and Natural Resources;
- (3) Establishes the Agricultural Enterprise Program within the Department of Agriculture to manage agricultural



enterprise lands and agricultural enterprises transferred to the Department of Agriculture;

- (4) Establishes the agricultural enterprise special fund; and
- (5) Appropriates moneys into and out of the agricultural enterprise special fund:
  - (A) For the planning, design, construction, operation, management, maintenance, repair, demolition, and removal of infrastructure on certain lands under the Department of Agriculture's jurisdiction; and
  - (B) To establish three full-time equivalent (3.0 FTE) positions within the Department of Agriculture.

Your Committee received testimony in support of this measure from the Department of Agriculture, the Department of Taxation, Hawaii County Council, Hawaii Farm Bureau, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, and Pacific Agricultural Land Management Systems.

Your Committee received comments on this measure from the Agribusiness Development Corporation.

Your Committee finds that authorizing the use of lands under the authority of the Department of Agriculture for agricultural enterprises will encourage the implementation of optimized methods of agricultural production.

Your Committee has amended this measure by:

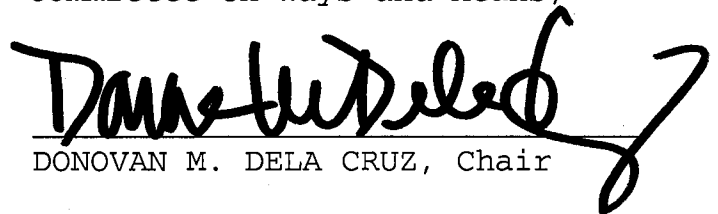
- (1) Requiring the Department of Agriculture to provide prior notice to the Agribusiness Development Corporation of any actions taken in relation to agricultural enterprises;
- (2) Authorizing the Agribusiness Development Corporation to disallow any actions that the Department of Agriculture intends to take in relation to agricultural enterprises;



- (3) Removing provisions establishing or appropriating moneys for Agricultural Resource Management Division positions;
- (4) Changing the appropriations to unspecified amounts; and
- (5) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1167, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1167, S.D. 1, and be placed on the calendar for Third Reading.

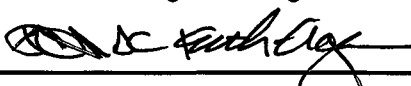
Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1167	WAM	2/25/19		
<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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
HARIMOTO, Breene				X
INOUE, Lorraine R.				X
KAHELE, Kaiali'i	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil		X		
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	10	1		2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes