

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 379

S.D. 1

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

Sir:

Your Committees on Water and Land and Agriculture and Environment, to which was referred S.B. No. 379 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) Allow the Governor to negotiate land exchanges consistent with and in furtherance of agricultural and housing needs and purposes; and
- (2) Require the Governor to submit a report to the Legislature of any potential or negotiated land exchanges for final approval.

Your Committees received testimony in support of this measure from the Department of Agriculture, Agribusiness Development Corporation, Hawai'i Farm Bureau, and Land Use Research Foundation of Hawaii. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources. Your Committees received comments on this measure from the Office of Planning, Land Use Commission, and Office of Hawaiian Affairs.

Your Committees find that Hawaii's insufficient agricultural production, and the State's critical shortage of safe and sanitary housing inventory for Hawaii residents, including affordable



housing and workforce housing, create critical health, safety, and security issues for Hawaii and its sustainable future. The lack of suitable entitled lands for development of appropriate housing is a major contributing factor to the housing crisis, and substantial obstacles and delays in entitling lands result in delayed development, low housing inventory, and increased housing prices. Your Committees further find that the exchange of state lands for privately owned lands can help address the challenges of increasing Hawaii's agricultural self-sufficiency while also ameliorating the State's housing crisis by providing for the mutually beneficial exchange of developable state lands for housing with privately owned agricultural lands for farming.

Your Committees note the concerns of the Land Use Commission regarding the constitutionality of this measure in that a requirement to process any boundary reclassification within 30 days would not allow sufficient due process in adhering to the environmental impact statement and historic preservation laws.

Your Committees have amended this measure by:

- (1) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (2) 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 and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 379, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 379, S.D. 1, and be referred to your Committee on Ways and Means.

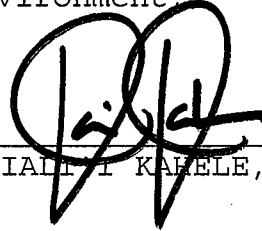


Respectfully submitted on  
behalf of the members of the  
Committees on Water and Land  
and Agriculture and  
Environment



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MIKE GABBARD, Chair



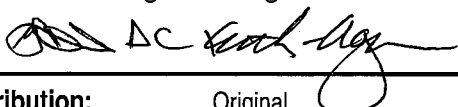
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KAIULANI KABELE, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

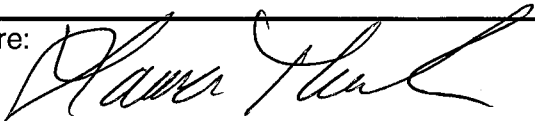
**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:* <b>SB 379</b>	Committee Referral: <b>WTL/AEN, WAM</b>	Date: <b>2/11/2019</b>		
<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
KAHELE, Kaiali'i (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
NISHIHARA, Clarence K.				X
RIVIERE, Gil	X			
FEVELLA, Kurt				X
<b>TOTAL</b>	<b>3</b>			<b>2</b>
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

The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 379	WTL / AEN, WAM	02-11-2019		
<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			
RUDERMAN, Russell E. (VC)				X
RHOADS, Karl	X			
THIELEN, Laura H.	X			
FEVELLA, Kurt				X
<b>TOTAL</b>	3			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
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