

STAND. COM. REP. NO.

2489

Honolulu, Hawaii

FEB 11 2020

RE: S.B. No. 3019
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Hawaiian Affairs and Water and Land, to which was referred S.B. No. 3019 entitled:

"A BILL FOR AN ACT RELATING TO TRADITIONAL HAWAIIAN PRACTICES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow traditional Hawaiian farming systems, traditional Hawaiian crops, and small-scale farming on lands designated as conservation districts; and
- (2) Allow a legal landowner or lessee on lands designate as conservations districts to build a tiny home.

Your Committees received testimony in support of this measure from one member from the Aha Moku Advisory Committee, one member from the Kauai County Council, and Pono Hawai'i Initiative. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources and one individual. Your Committees received comments on this measure from one individual.

Your Committees find that in 2015, the State enacted Act 31, Session Laws of Hawaii 2015 which encouraged, as agricultural objectives of the State, the growth and development of traditional



Hawaiian farming systems and traditional Hawaiian crops, as well as the growth and development of small-scale farms. Hawaii's traditional farming systems, such as loko i'a (fishponds), māla (cultivated gardens), and lo'i (irrigated patches), were important agricultural technologies that once sustained a thriving and robust island community.

Your Committees further find that these traditional Hawaiian farming systems still play a critical role in Hawaii and should be encouraged to promote greater self-sufficiency, crop diversity, and food security. Moreover, traditional Hawaiian crops like kalo, 'uala (sweet potato), limu (various seaweeds), 'awa, hō'i'o (large native fern), and 'olena (turmeric) that were cultivated using these traditional Hawaiian farming techniques continue to be important agricultural products for food, medicine, and cultural practices today. Supporting traditional Hawaiian farming systems is critical towards helping the State achieve food security and increasing domestic production of a local food supply. This measure will expressly protect the traditional and customary rights of native Hawaiians and support traditional Hawaiian farming traditions and encourage the efficient use of conservations lands.

Your Committees have heard the concerns of the Department of Land and Natural Resources that this measure may permit uses that may be contrary to the purposes and objective of the conservation district.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting language to require the Department of Land and Natural Resources to adopt administrative rules within one year allowing for traditional Hawaiian farming systems and tiny homes on lands designated as conservation districts; 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 Hawaiian Affairs and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3019, as amended herein, and

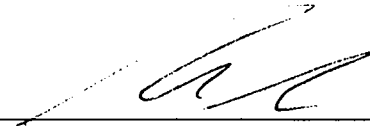


recommend that it pass Second Reading in the form attached hereto as S.B. No. 3019, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committees on Hawaiian Affairs and Water and Land,



KAIULANI KAHELE, Chair



MAILE S.L. SHIMABUKURO, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>SB 3019</i>	<i>HWN/WTL, JDL</i>	<i>1/31/20</i>		
<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)	<i>X</i>			
KEITH-AGARAN, Gilbert S.C. (VC)				<i>X</i>
NISHIHARA, Clarence K.				<i>X</i>
RIVIERE, Gil	<i>X</i>			
FEVELLA, Kurt	<i>X</i>			
TOTAL	<i>3</i>	<i>0</i>	<i>0</i>	<i>2</i>
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;"><i>Gil Riviere</i></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