

Honolulu, Hawaii

MAR 01 2019

RE: S.B. No. 941

S.D. 2

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

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 941, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require an owner or occupier of agricultural land to notify the Land Use Commission of the agricultural uses for which the land was subdivided;
- (2) Give the Land Use Commission enforcement authority over conditions, restrictions, uses, and subdivision of agricultural land, including the right to enter and inspect lands, issue orders, and impose fines or liens for violations; and
- (3) Appropriate funds.

Your Committees received testimony in support of this measure from the Office of Planning, Land Use Commission, Department of Agriculture, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and three individuals.

Your Committees find that subdivisions of agricultural land and exempted agricultural structures that do not conform to the

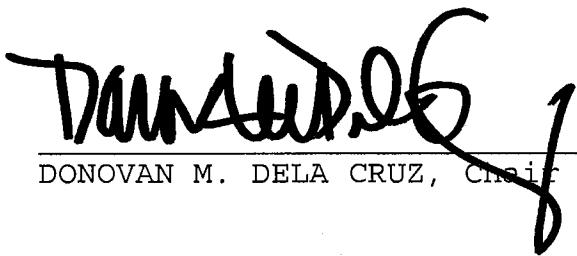


State's statutory requirements and the counties' zoning ordinances and rules can result in the loss of potentially productive agricultural land for agricultural production to a degree equal to that of urbanization. Your Committees further find that urbanization of agricultural lands requires the compilation and consideration of much more information and follows a very deliberative and discretionary permitting process that is in sharp contrast to the ministerial processes used to review subdivisions of agricultural land. This measure will provide the Land Use Commission with information resources and enforcement powers necessary to ensure that subdivided agricultural land is being used for the purposes for which the subdivision was approved.

Your Committees have amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 941, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 941, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,


DONOVAN M. DELA CRUZ, Chair


KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB941, SD1	Committee Referral: AEN/WTL, JDC/WAM	Date: 2/26/2019		
<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
DELA CRUZ, Donovan M. (C)	/			
KEITH-AGARAN, Gilbert S.C. (VC)				/
ENGLISH, J. Kalani	/			
HARIMOTO, Breene	/			
INOUYE, Lorraine R.				/
KAHELE, Kaiali'i				/
KANUHA, Dru Mamo	/			
KIDANI, Michelle N.	/			
MORIWAKI, Sharon Y.	/			
RIVIERE, Gil				/
SHIMABUKURO, Maile S.L.	/			
TANIGUCHI, Brian T.	/			
FEVELLA, Kurt	/			
TOTAL	9			4
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;">Michelle N. Kidani</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