

STAND. COM. REP. NO.

194

Honolulu, Hawaii

FEB 12 2021

RE: S.B. No. 1343
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred
S.B. No. 1343 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION
ACT,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Remove acreage restrictions on leases of Hawaiian home lands for agricultural purposes;
- (2) Provide that the availability of these leases be subject to the availability of suitable tracts of land; and
- (3) Specify that the leases may be for for-profit or non-profit purposes.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Hawaiian Home Lands and one individual.

Your Committee finds that the Department of Hawaiian Home Lands' subsistence agricultural program is intended for those individuals who seek to be self-sufficient and grow enough to be self-sufficient. As originally enacted by the United States



Congress, the Hawaiian Homes Commission Act authorized the Hawaiian Homes Commission to lease twenty to eighty acres of agricultural land. In the present day, the Hawaiian Homes Commission Act authorizes the Department of Hawaiian Home Lands to lease no more than forty acres of agricultural land with at least twenty-six of those acres of continuous cultivation.

Your Committee finds that beneficiaries have voiced concerns of current agricultural lessees. There are concerns that applicants on the agricultural lease waitlist have voiced concerns of agricultural lessees not farming their land. Among agricultural applicants who are farming, fifty-five percent of farmers engage in subsistence farming, only growing enough crops to provide for the need of their household members. An additional twenty percent are growing enough to provide for some of the needs of their household members. Nearly six out of ten agricultural applicants seek to engage in subsistence farming. Fifty-nine percent of applicants were willing to accept agricultural parcels of two acres or less and another twenty-three percent indicated that a lot size between three and five acres would be acceptable.

Your Committee has heard the concerns from the Department of Hawaiian Home Lands that removing acreage restrictions statewide would have an impact on over nineteen thousand applicants that are on the waitlist for an agricultural lease with 7,269 applicants on Hawaii Island; 4,666 applicants on Maui; 3,817 applicants on Oahu; 2,235 applicants on Kauai; and 1,097 applicants on Molokai. If each of the current 19,084 applicants on the waitlist were provided with a forty-acre parcel, the Department would be required to provide 763,360 acres of land, which is more than triple the amount of lands currently available under the Hawaiian Homes Commission Act. While removing the acreage restriction would potentially allow for expanded opportunities in certain areas for farming, these lands are not outfitted with the proper infrastructure and water for cultivation which would make these agricultural lands difficult to utilize. In addition, the Department of Hawaiian Home Lands would likely have to assist in providing technical assistance and financial support for beneficiaries to be successful.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1343, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1343, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Hawaiian Affairs,




MAILE S.L. SHIMABUKURO, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1343	HWN, JDC	2/9/2021		
<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
SHIMABUKURO, Maile S.L. (C)	X			
KEOHOKALOLE, Jarrett (VC)	X			
ACASIO, Laura	X			
IHARA, Jr., Les		X		
FEVELLA, Kurt	X			
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				

*Only one measure per Record of Votes