

STAND. COM. REP. NO.

2009

Honolulu, Hawaii

APR 04

, 2025

RE: S.B. No. 443
S.D. 1
H.D. 2

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Consumer Protection & Commerce, to which
was referred S.B. No. 443, S.D. 1, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to require lands within the
agricultural district that have solar energy facilities to obtain
certification from the Department of Agriculture that the lands
are also used for farming operations.

Your Committee received testimony in support of this measure
from the Land Use Commission; Agribusiness Development
Corporation; Ulupono Initiative; Hawai'i Farm Bureau;
350Hawaii.org; Hawai'i Food+ Policy; Hawai'i Farmers Union; and
Hawaii Cattlemen's Council, Inc. Your Committee received comments
on this measure from the Department of Agriculture and Hawaii
State Energy Office.

Your Committee finds that existing law allows for the
establishment of solar energy facilities placed within land with
soil classified as overall productivity rating class B or C as
long as the facilities do not occupy more than ten percent of the
parcel, or twenty acres, whichever is less. Your Committee
further finds that once agricultural land is diverted from

2025-3147 SB443 HD2 HSCR HMSO



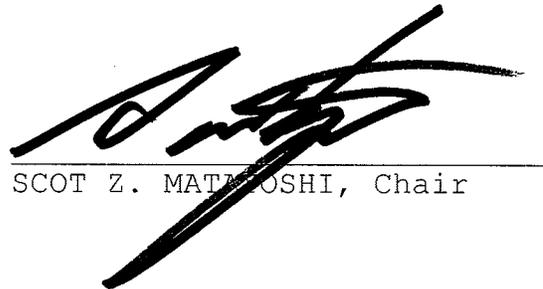
agricultural use to other development, those lands face significant barriers in returning to food production. Consequently, it has been projected that fifty percent of class B lands and twenty percent of class C lands will be lost to solar development. This measure provides an additional safeguard before valuable agricultural land is diverted by requiring the Department of Agriculture to certify the land's concurrent use for farming operations.

Your Committee has amended this measure by:

- (1) Specifying that lands within the agricultural district that produce wind-generated energy for public, private, and commercial use; have wind machines and wind farms; or have wind energy facilities are also required to obtain certification that the lands are also used for farming operations; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 443, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 443, S.D. 1, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



SCOT Z. MATSUMOTO, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB443, SD1, HD1	Committee Referral: AGR/EEP, CPC	Date: 4/2/25		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. MATAYOSHI, Scot Z. (C)	✓			
2. CHUN, Cory M. (VC)	✓			
3. ILAGAN, Greggor	✓			
4. ICHIYAMA, Linda	✓			
5. IWAMOTO, Kim Coco	✓			
6. KONG, Sam Satoru	✓			
7. LOWEN, Nicole E.	✓			
8. MARTEN, Lisa	✓			
9. TAM, Adrian K.	✓			
10. PIERICK, Elijah				✓
TOTAL (10)	9			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				