

Honolulu, Hawaii

MAR 20 2007

RE: H.B. No. 402  
H.D. 1  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian  
Affairs, to which was referred H.B. No. 402, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND,"

begs leave to report as follows:

The purpose of this measure is to authorize the use of the  
Land Conservation Fund for the acquisition of agricultural  
easements and for the payment of debt service on bonds issued for  
acquisitions using the fund.

Testimony in support of this measure was submitted by the  
Department of Land and Natural Resources, the Department of  
Agriculture, the Hawaii Agriculture Research Center, and the Trust  
for Public Land.

Your Committee finds that this measure broadens the public  
purposes for which the Land Conservation Fund can be used and  
includes agricultural easements as an appropriate means to acquire  
interests in or rights to agricultural land. Allowing the  
purchase of agricultural conservation easements is a tool that may  
encourage more landowners to consider this program and keep  
important agricultural lands in production, rather than allowing  
them to be converted to suburban or high density areas.

Your Committee has amended this measure by:



- (1) Deleting the language under section 1 of this measure and adopting language under section 1 of S.B. No. 1094 that further clarifies that the fund shall be used for the acquisition of interests or rights in land having value as a resource to the State through the establishment of agricultural easements; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 402, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 402, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.

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



RUSSELL S. KOKUBUN, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Water, Land, Agriculture and Hawaiian Affairs**  
**WAH**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 402 #D1	WAH, WAM	3/12/07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> Pass, unamended 2312</div> <div><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div><input type="checkbox"/> Hold 2310</div> <div><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
KOKUBUN, Russell S. (C)	X			
TOKUDA, Jill N. (VC)	X			
FUKUNAGA, Carol	X			
HEE, Clayton				X
SLOM, Sam	X			
<b>TOTAL</b>	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">Distribution: Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> </div>				

\*Only one measure per Record of Votes