STAND. COM. REP. NO. 2

Honolulu. Hawaii

FEB 0 7 2008

RE: S.B. No. 2641

S.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

## Madam:

Your Committee on Agriculture and Hawaiian Affairs, to which was referred S.B. No. 2641 entitled:

"A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," begs leave to report as follows:

The purpose of this measure is to establish a five-year moratorium on the development of agricultural lands located in the State for which general planning has not commenced.

Testimony in support of this measure was submitted by HPC Foods, Ltd., the Office of Hawaiian Affairs, Hawaii's Thousand Friends, and one individual.

Testimony in opposition of this measure was submitted by the Office of Planning of the Department of Business, Economic Development and Tourism, the City and County of Honolulu Department of Planning and Permitting, Hawaii Association of Realtors, Maui Contractors Association, Land Use Research Foundation of Hawaii, and two individuals.

The following entities expressed concerns with the measure as drafted: the Department of Agriculture and the Hawaii Farm Bureau Federation. Specifically, the Department of Agriculture expressed concern that the measure could stop legitimate projects caught in the moratorium. The Hawaii Farm Bureau Federation expressed concern that an unintended consequence of the measure would be that lenders could view the moratorium as "downsizing" the values

of agricultural land which would result in increased difficulty for farmers and ranchers to qualify for loans.

Your Committee has amended this measure by changing its effective date to June 1, 2050, for purposes of facilitating further legislative consideration. Your Committee also considered amending the measure to limit the moratorium to agricultural lands on Oahu but believes this issue warrants further consideration and discussion by the Legislature.

As affirmed by the record of votes of the members of your Committee on Agriculture and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2641, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2641, S.D. 1, and be referred to the Committee on Water and Land.

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

JILL TOKUDA, Chair

## The Senate Twenty-Fourth Legislature State of Hawaii

## Record of Votes Committee on Agriculture and Hawaiian Affairs AHW

Bill / Resolution No.:*  SB 264	Committee Referral:  AHW, WTL		l l	Date: 31 Jan 2008	
30 2071	HTW,	7711			*
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye_	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	·	12/			
ENGLISH, J. Kalani (VC)		$V_{\ell-1}$			
GABBARD, Mike					
HEE, Clayton		7			$\checkmark$
KOKUBUN, Russell S.					
SLOM, Sam				V	
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TOTAL		4		1	1
Recommendation:  Adopted 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