

Honolulu, Hawaii

APR 01 2010

RE: H.B. No. 2290
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 2290, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

begs leave to report as follows:

The purpose of this measure is to protect valuable agricultural land by providing for the conditional mandatory extension of agricultural leases.

Generally, this measure:

- (1) Requires an extension for any lease of private land with a land classification rating of A or B, if a lessee has made or plans to make substantial improvements on the land, in a county with a population of more than five hundred thousand residents;
- (2) Requires that the extension of the lease be at least seventy-five per cent of the original lease;
- (3) Allows the lessor to agree to a shorter term or termination of the lease if offered by the lessee and requires that any additional terms and conditions of the extension be mutually agreed upon and reasonable;



- (4) Requires any district boundary amendments involving agricultural lands with a land classification rating of A or B to be determined by the Land Use Commission; and
- (5) In counties with a population of more than five hundred thousand residents, prohibits district boundary amendments of agricultural lands with a land classification rating of A or B under specific conditions.

Your Committee received written comments in opposition to this measure from the City and County of Honolulu Department of Planning and Permitting, D.R. Horton-Schuler Homes, the Hawaii Building and Construction Trades Council, the Hawaii Crop Improvement Association, the Land Use Research Foundation of Hawaii, Monsanto Hawaii, Syngenta, Weed and Seed, and five concerned individuals. The Department of Agriculture and a concerned individual submitted comments. Written comments may be reviewed on the Legislature's website.

Your Committee finds that agricultural lands with a land classification rating of A or B are vital to the State's food security and sustainability efforts. Your Committee also finds that the inventory of prime agricultural land in the State is being lost to development, especially in heavily populated areas on Oahu. Your Committee believes that protecting and preserving prime agricultural land is vital to the future of agriculture and also promotes and supports self-sufficiency for the State.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2290, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

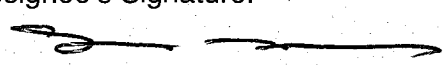


DONNA MERCADO KIM, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

| | | | | |
|--|--|---------------------------------------|----------|----------|
| Bill / Resolution No.:* <i>HB 2290 HD2 SD1</i> | Committee Referral: <i>WTL, WAM</i> | Date: <i>3/24/2010</i> | | |
| <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 checked="" type="checkbox"/> Pass, unamended 2312 | <input type="checkbox"/> Pass, with amendments 2311 | <input type="checkbox"/> Hold 2310 | | |
| <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| KIM, Donna Mercado (C) | / | | | |
| TSUTSUI, Shan S. (VC) | / | | | |
| CHUN OAKLAND, Suzanne | / | | | |
| ENGLISH, J. Kalani | / | | | |
| FUKUNAGA, Carol | | | | / |
| GALUTERIA, Brickwood | / | | | |
| HEE, Clayton | / | | | |
| HOOSER, Gary L. | / | | | |
| KIDANI, Michelle N. | / | | | |
| KOKUBUN, Russell S. | / | | | |
| TOKUDA, Jill N. | / | | | |
| HEMMINGS, Fred | / | | | |
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| TOTAL | <i>11</i> | <i>0</i> | <i>8</i> | <i>1</i> |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature:  | | | | |
| Distribution: <div style="display: flex; justify-content: space-around; font-size: small;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div> | | | | |

***Only one measure per Record of Votes**