

STAND. COM. REP. NO.

2466

Honolulu, Hawaii

MAR 01 2012

RE: S.B. No. 2375

S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Water, Land, and Housing, to which was referred S.B. No. 2375, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURAL-BASED COMMERCIAL OPERATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow agricultural-based commercial operations in agricultural districts and to include agricultural-based commercial operations under the definition of "farming operation" in chapter 165, Hawaii Revised Statutes, the Hawaii Right to Farm Act.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Farm Bureau Federation, Kamehameha Schools, and Kahuku Farms. Your Committee received testimony in opposition to this measure from the City and County of Honolulu Department of Planning and Permitting.

Your Committee finds that existing laws do not permit agricultural-based commercial operations in agricultural districts. This restriction increases permitting requirements, limits farmers' economic opportunities, and places farmers at a disadvantage with neighboring landowners. By allowing agricultural-based commercial operations in agricultural districts, this measure will improve and diversify farmers' economic opportunities.

Your Committee has amended this measure by:

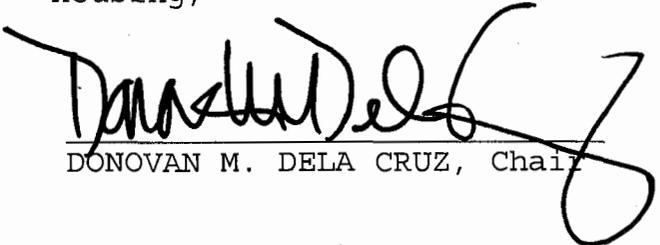
2012-1348 SSCR SMA.doc



- (1) Specifying that the allowed agricultural-based commercial operations be producer-operated;
- (2) Including the sale of logo items related to a producer's agricultural operations and other food items as an agricultural-based commercial operation;
- (3) Including the preparation and sale of certain food by producer-operated retail food establishments as an agricultural-based commercial operation; and
- (4) 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 Water, Land, and Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2375, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2375, S.D. 2.

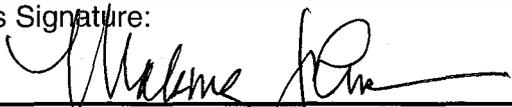
Respectfully submitted on
behalf of the members of the
Committee on Water, Land, and
Housing,


DONOVAN M. DELA CRUZ, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Water, Land and Housing
WLH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB2375 SDI	AGL/WLH	2-23-12		
<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
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol				✓
RYAN, Pohai	✓			
SHIMABUKURO, Maile	✓			
TOKUDA, Jill N.				✓
SLOM, Sam	✓			
TOTAL	5			2
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