

STAND. COM. REP. NO.

360

Honolulu, Hawaii

FEB 20 2015

RE: S.B. No. 1162  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committees on Agriculture and Water and Land, to which  
was referred S.B. No. 1162 entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE, "

beg leave to report as follows:

The purpose and intent of this measure is to prevent the loss  
of large-scale agricultural parcels and to ensure that future use  
of agricultural lands is for bona fide agricultural operations.

Your Committees received testimony in support of this measure  
from the Office of Planning, Hawaii Farmers Union United, and one  
individual. Your Committees received testimony in opposition to  
this measure from the Chamber of Commerce Hawaii, Building  
Industry Association of Hawaii, and Hawaii Farm Bureau. Your  
Committees received comments on this measure from the Department  
of Agriculture and the Agribusiness Development Corporation.

Your Committees find that the Hawaii State Plan goal of a  
strong, viable economy can be accomplished through expanded  
agriculture throughout the islands, which requires preservation of  
large parcels of agricultural lands. Commercially viable  
agriculture requires large contiguous parcels for operation. Your  
Committees further find that the subdivision of agricultural lands  
and approval of condominium property regimes must be scrutinized.

Your Committees also find that it is important to address the  
concerns raised by the Department of Agriculture and the  
Agribusiness Development Corporation regarding the need to

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subdivide parcels, particularly in respect to the agricultural parks program, and the concerns voiced by the Hawaii Farm Bureau regarding the need for smaller parcels to be used as smaller farms; however, it is also necessary to retain the few remaining tracts of undivided agricultural land with good soil and take action to prevent the fractionalization of agricultural land by entities other than bona fide commercial farmers.

Accordingly, your Committees have amended this measure by:

- (1) Exempting a landowner applicant who is the Department of Agriculture, the Agribusiness Development Corporation, or a bona fide commercial farmer from the subdivision prohibition;
- (2) Defining "bona fide commercial farmer";
- (3) Defining "subdivision"; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.


As affirmed by the records of votes of the members of your Committees on Agriculture and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1162, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1162, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.

Respectfully submitted on  
behalf of the members of the  
Committees on Agriculture and  
Water and Land,

  
LAURA H. THIELEN, Chair  
RUSSELL E. RUDERMAN, Chair

The Senate  
Twenty-Eighth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Agriculture**  
**AGL**

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 1162</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">AGL/WTL, CAP</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/10/15</div>		
<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; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
RUDERMAN, Russell E. (C)	X			
RIVIERE, Gil (VC)	X			
CHUN OAKLAND, Suzanne	X			
TANIGUCHI, Brian T.				X
THIELEN, Laura H.	X			
WAKAI, Glenn				X
SLOM, Sam				X
<b>TOTAL</b>	4	-	-	3
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted         <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">  </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

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

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

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