

Honolulu, Hawaii

, 2020

MAY 12

RE: S.B. No. 2812
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Water, Land, & Hawaiian Affairs, to which was referred S.B. No. 2812, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Clarify that agricultural activities on non-agricultural park lands may include the care and production of pasture lands;
- (2) Require the Department of Land and Natural Resources to transfer certain non-agricultural park lands to the Department of Agriculture as authorized by section 166E-3, Hawaii Revised Statutes;
- (3) Require the Department of Land and Natural Resources to accept and return to its land inventory any parcel, or portion thereof, transferred pursuant to this Act that the Department of Agriculture has determined to be unsuitable or unnecessary for agricultural use; and



- (4) Require reports to the legislature on implementing the land transfers, addressing concerns about stewardship, and complying with the land transfers.

Your Committee received testimony in support of this measure from the Hawaii Forest Industry Association; Hawaii Cattlemen's Council, Inc; Land Use Research Foundation of Hawaii; Hawaii Farm Bureau; Hawaii Meats LLC; Kapapala Ranch; Hawaii Crop Improvement Association; Larry Jefts Farms, LLC; Meadow Gold Dairies; Maui County Farm Bureau; McCandless Ranch; Ulupono Initiative; Ulupalakua Ranch; Ponoholo Ranch Limited; Local Food Coalition; a petition signed by forty individuals; and ten individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Hawaii's Thousand Friends, The Nature Conservancy, Sierra Club of Hawai'i, Hawai'i Conservation Alliance Foundation, Ahahui Malama I Ka Lokahi/Hawaiians for the Conservation of Native Ecosystems, Conservation Council for Hawai'i, Animal Rights Hawai'i, and sixteen individuals. Your Committee received comments on this measure from the Department of Agriculture and one individual.

Your Committee finds that many farmers and ranchers who hold leases of pasture land under the Department of Land and Natural Resources were informed that their leases would be transferred to the Department of Agriculture pursuant to Act 90, Session Laws of Hawaii 2003 (Act 90). Your Committee further finds that these transfers have not been effectuated, leading to confusion and concern by the leaseholders. This measure addresses those concerns by requiring the transfer of identified non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture.

Your Committee has amended this measure by:

- (1) Amending the tax map keys of non-agricultural park lands to be transferred pursuant to this measure;
- (2) Inserting an appropriation of general revenues for deposit into the Non-Agricultural Park Lands Special Fund;
- (3) Establishing a process to allow the Land Use Commission to determine if lands that may be subject to transfer




under Act 90 but were not specifically identified by this measure are bona fide agricultural land, including pasture land, or conservation land;

- (4) Changing the effective date to July 1, 2051, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2812, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2812, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

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



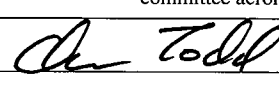
RYAN I. YAMANE, Chair



State of Hawaii
House of Representatives
The THIRTIETH Legislature

HCR 1189-20

Record of Votes of the Committee on Water, Land, & Hawaiian Affairs

Bill/Resolution No.: SB 2812 SD2	Committee Referral: WLH, FIN	Date: 03/11/20		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WLH Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	✓			
2. TODD, Chris (VC)	✓			
3. HAR, Sharon E.	✓			
4. LOWEN, Nicole E.		✓		
5. TARNAS, David A.	✓			
6. WILDBERGER, Tina			✓	
7. WARD, Gene	✓			
TOTAL (7)	5	1	1	0
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				