

STAND. COM. REP. NO.

2675

Honolulu, Hawaii

FEB 13 2020

RE: S.B. No. 3114  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committees on Water and Land and Agriculture and  
Environment, to which was referred S.B. No. 3114 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Give preference rights for an agricultural park lot and  
a non-agricultural park land lease to lessees who have  
made a significant improvement; and
- (2) Add the same preferences for a non-agricultural park  
land lease as those for an agricultural park lot lease.

Your Committees received testimony in support of this measure  
from Ulupalakua Ranch. Your Committees received comments on this  
measure from the Department of Agriculture and one individual.

Your Committees find that the current preference rights for  
agricultural park lots and other agricultural lands do not  
consider self-financed improvements made by lessees. This  
discourages lessees from using their own funds to make  
improvements near the end of a lease term. This measure will add  
preference rights to lessees who have made a significant  
improvement to their agricultural lands, which will improve



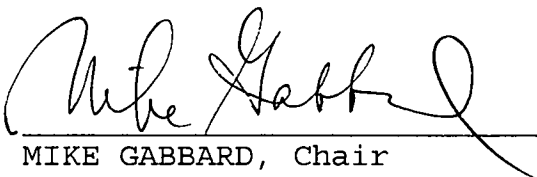
agricultural productivity, promote agriculture, and increase agricultural self-sufficiency in the State.

Your Committees have amended this measure by:


- (1) Clarifying that significant improvement are improvements that further commercial agricultural operations and making conforming amendments;
- (2) Inserting a provision that requires the Department of Agriculture to define "significant improvement" in administrative rules and making conforming amendments; and
- (3) 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 Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3114, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3114, S.D. 1, and be referred to your Committee on Judiciary.

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



MIKE GABBARD, Chair



KAITIAKI KAHELE, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

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

|  |  |                        |            |                |
|--|--|------------------------|------------|----------------|
| Bill / Resolution No.:*<br><b>SB 3114</b>  | Committee Referral:<br><b>WTL/AEN, JDC</b> | Date:<br><b>2/7/20</b> |            |                |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____  |  |                        |            |                |
| The Recommendation is:<br><input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 |  |                        |            |                |
| <b>Members</b>   | <b>Aye</b>                                 | <b>Aye (WR)</b>        | <b>Nay</b> | <b>Excused</b> |
| KAHELE, Kaiali'i (C)   | X  |                        |            |                |
| KEITH-AGARAN, Gilbert S.C. (VC)  |  |                        |            | X              |
| NISHIHARA, Clarence K.   |  |                        |            | X              |
| RIVIERE, Gil   | X  |                        |            |                |
| FEVELLA, Kurt  | X  |                        |            |                |
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| <b>TOTAL</b>   | <b>3</b>                                   | <b>0</b>               | <b>0</b>   | <b>2</b>       |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |  |                        |            |                |
| Chair's or Designee's Signature:   |  |                        |            |                |
| <b>Distribution:</b> Original     Yellow     Pink     Goldenrod<br>File with Committee Report   Clerk's Office   Drafting Agency   Committee File Copy   |  |                        |            |                |

\*Only one measure per Record of Votes

**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

\*Only one measure per Record of Votes