

STAND. COM. REP. NO. 464

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 941  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committees on Agriculture and Environment and Water and Land, to which was referred S.B. No. 941 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to require an owner or occupier of agricultural land to notify the Land Use Commission of the agricultural uses for which the land was subdivided, sold, or leased and to grant the Commission enforcement authority over conditions, restrictions, uses, and subdivision of agricultural lands, including the right to enter and inspect lands, issue orders, and impose fines or liens for violations.

Your Committees received testimony in support of this measure from the Office of Planning, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and Farm Maui LLC. Your Committees received comments on this measure from the Land Use Commission and the Department of Agriculture.

Your Committees find that the abuse of agricultural lands is a significant problem in the State. Your Committees further find that this measure provides the Land Use Commission with the authority to monitor and cite violators of improper agricultural land uses and activities and requires owners and occupants of agricultural land to submit to the Land Use Commission the planned



use for the specific parcel whenever the land parcel is subdivided, sold, or leased.

Your Committees additionally find that the Land Use Commission would require funding to fulfill its enforcement duties pursuant to this measure.

Your Committees have amended this measure accordingly by:

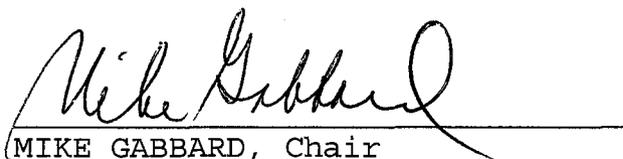
- (1) Inserting an appropriation of \$150,000 for fiscal years 2019-2020 and 2020-2021 for the Land Use Commission to perform enforcement duties; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 941, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 941, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

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



KAIALANI KAHELE, Chair

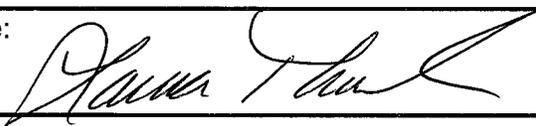


MIKE GABBARD, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

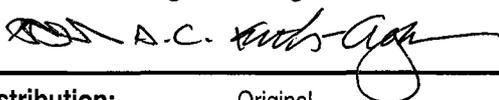
**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

Bill / Resolution No.:* <b>SB 941</b>	Committee Referral: <b>AEN/WTL, JOL/WAM</b>	Date: <b>2-11-2019</b>		
<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
GABBARD, Mike (C)	X			
RUDERMAN, Russell E. (VC)				X
RHOADS, Karl	X			
THIELEN, Laura H.	X			
FEVELLA, Kurt				X
<b>TOTAL</b>	<b>3</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 File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
Thirtieth Legislature  
State of Hawai'i

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

Bill / Resolution No.:* <b>SB941</b>	Committee Referral: <b>AEN/WTL/JDL/WAM</b>	Date: <b>2/11/2019</b>		
<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
KAHELE, Kaiali'i (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
NISHIHARA, Clarence K.				X
RIVIERE, Gil	X			
FEVELLA, Kurt				X
<b>TOTAL</b>	<b>3</b>			<b>2</b>
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