

STAND. COM. REP. NO.

603

Honolulu, Hawaii

FEB 14 2025

RE: S.B. No. 443  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Sir:

Your Committees on Water and Land and Energy and Intergovernmental Affairs, to which was referred S.B. No. 443 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 that lands within the agricultural district that have solar energy facilities must also obtain certification from the Board of Land and Natural Resources that the lands are also used for a farming operation.

Your Committees received testimony in support of this measure from the Agribusiness Development Corporation, Hawai'i Farm Bureau, Hawai'i Farmers Union United, 350Hawaii.org, and one individual.

Your Committees received comments on this measure from the Department of Land and Natural Resources, Hawaii State Energy Office, Department of Agriculture, and Department of the Attorney General.

Your Committees find that it is essential to ensure that agricultural lands remain productive while accommodating renewable energy development. Your Committees further find that the loss of agricultural land to non-agricultural uses is a growing concern. Your Committees also find that while renewable energy development



is a priority, it must be balanced with the need to preserve the State's limited farmland for food production. Accordingly, this measure requires that farming operations located in the agricultural district that have solar energy facilities obtain certification from the Department of Agriculture verifying that the lands are also used for a farming operation.

Your Committees note the concern raised by the Agribusiness Development Corporation, Department of Land and Natural Resources, and Department of the Attorney General that the Department of Agriculture may be a more appropriate certifying agency than the Board of Land and Natural Resources.

Accordingly, your Committees have amended this measure by:

- (1) Specifying that the Department of Agriculture shall be the certifying agency instead of the Board of Land and Natural Resources; and
- (2) Making a technical, nonsubstantive amendment 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 Energy and Intergovernmental Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 443, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 443, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Water and Land  
and Energy and  
Intergovernmental Affairs,

  
\_\_\_\_\_  
GLENN WAKAI, Chair

  
\_\_\_\_\_  
LORRAINE R. INOUE, Chair



The Senate  
 Thirty-Third Legislature  
 State of Hawai'i

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

Bill / Resolution No.:* <b>SB443</b>	Committee Referral: <b>WTL/EIG, WAM</b>	Date: <b>02/07/25</b>
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The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
  Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.	✓			
DECORTE, Samantha	✓			
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>

Recommendation:      Adopted      Not Adopted

Chair's or Designee's Signature:  


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

