

**DAVID Y. IGE**  
Governor

**JOSH GREEN**  
Lt. Governor



**PHYLLIS SHIMABUKURO-GEISER**  
Chairperson, Board of Agriculture

**MORRIS M. ATTA**  
Deputy to the Chairperson

State of Hawaii  
**DEPARTMENT OF AGRICULTURE**  
1428 South King Street  
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**TESTIMONY OF PHYLLIS SHIMABUKURO-GEISER  
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEE ON WATER, LAND, AND HAWAIIAN AFFAIRS**

**MARCH 13, 2020  
10:00 A.M.  
CONFERENCE ROOM 325**

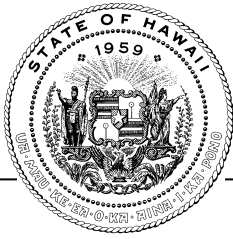
**SENATE BILL NO. 2701  
RELATING TO AGRICULTURAL BUILDINGS**

Chairperson Yamane and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 2701. This measure grants county agencies the right to enter property to investigate agricultural buildings and structures for violations of and compliance with building code exemption qualifications. The Department of Agriculture supports the intent of this measure that promotes active monitoring and enforcement of these exempted structures. In particular, we point out that exempt structures are required to be "...located on a commercial farm or ranch and are used for general agricultural or aquacultural purposes..." (Bill, page 2, lines 5-7). If a commercial farm or ranch does not exist, the structure should not be exempted from the building code.

Thank you for the opportunity to testify on this measure.





# OFFICE OF PLANNING STATE OF HAWAII

DAVID Y. IGE  
GOVERNOR

MARY ALICE EVANS  
DIRECTOR  
OFFICE OF PLANNING

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Statement of  
**MARY ALICE EVANS**  
Director, Office of Planning  
before the  
**HOUSE COMMITTEE ON WATER, LAND & HAWAIIAN AFFAIRS**  
Friday, March 13, 2020  
10:00 AM  
State Capitol, Conference Room 325

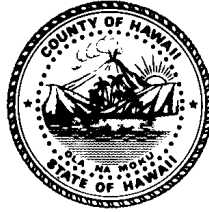
in consideration of  
**SB 2701**  
**RELATING TO AGRICULTURAL BUILDINGS**

Chair Yamane, Vice Chair Todd, and Members of the House Committee on Water, Land & Hawaiian Affairs.

The Office of Planning (OP) **supports** SB 2701 which amends Hawaii Revised Statutes, Section 46-88 (c) to allow appropriate county fire and building permit agencies the right to enter exempted agricultural buildings to investigate allegations of violations and compliance with this section. This amendment would allow county agencies to exercise their enforcement powers and help to prevent the misuse of agricultural buildings and structures which sometimes are illegally transformed into residential uses. The amendment would also allow the counties to apply to the district court for a warrant, and to direct a police officer to provide assistance to the department or agency in gaining entry to the property.

Thank you for this opportunity to testify.

**Harry Kim**  
*Mayor*



**Roy Takemoto**  
*Managing Director*

**Barbara J. Kossow**  
*Deputy Managing Director*

## County of Hawai'i Office of the Mayor

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March 11, 2020

Representative Ryan I. Yamane, Chair  
Representative Chris Todd, Vice Chair  
Committee on Water, Land and Hawaiian Affairs

Dear Chair Yamane, Vice Chairs Todd, and Committee Members:

**RE: SB 2701 Relating to Agricultural Buildings**

SB 2701 recognizes that there needs to be a method of verification if exemptions to a Building Code are conditional, and if those conditions are to be taken seriously.

I believe this bill provides an appropriate balance between the need for verification and the right of privacy. Inspection is limited to agricultural buildings, it is limited in the personnel who can investigate, it is limited as to purpose, and it puts the burden on government to seek court oversight if there is a dispute.

I support SB 2701 and urge its adoption.

Respectfully Submitted,

Harry Kim  
MAYOR

**SB-2701**

Submitted on: 3/11/2020 6:53:27 AM

Testimony for WLH on 3/13/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicole K Galase	Hawaii Cattlemen's Council	Support	No

Comments:



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March 13, 2020

HEARING BEFORE THE  
HOUSE COMMITTEE ON WATER, LAND, & HAWAIIAN AFFAIRS

**TESTIMONY ON SB 2701**  
RELATING TO AGRICULTURAL BUILDINGS

Room 325  
10:00 AM

Aloha Chairs Yamane, Vice Chair Todd, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

**The Hawaii Farm Bureau supports SB 2701**, which grants county agencies the right to enter property to investigate agricultural buildings and structures for violations of and compliance with building code exemption qualifications.

Although we assumed that the counties already have this authority, we support this effort to clarify the matter.

Thank you for this opportunity to provide our opinion on this important matter.

**SB-2701**

Submitted on: 3/12/2020 9:33:41 PM

Testimony for WLH on 3/13/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Naomi Melamed	Individual	Oppose	No

Comments:

Private Property must be respected. This does not seem right.