

Honolulu, Hawaii

APR 26 2012

RE: S.B. No. 2341
S.D. 2
H.D. 2
C.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2341, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to authorize agricultural tourism activities in agricultural districts, including overnight accommodations of twenty-one days or less, within a county with a population greater than one hundred thousand people, but less than one hundred fifty thousand people; provided that the activities coexist with a bona fide agricultural activity and the county has adopted ordinances regulating agricultural tourism.

Your Committee on Conference finds that agricultural tourism has been successful in other areas of the United States, such as Napa Valley in California. The creation of more opportunities for farmers and ranchers to raise capital must be considered when



looking at ways to make Hawaii more self-sufficient in food production.

Your Committee on Conference has amended this measure by:

- (1) Adding language to the purpose section to highlight potential agricultural tourism opportunities in the State, while recognizing the Legislature's intent to enable the counties to make their own determinations regarding the allowance of certain activities on, or uses of, land in agricultural districts;
- (2) Amending sections 205-2 and 205-4.5, Hawaii Revised Statutes, to:
 - (A) Clarify that the agricultural tourism activities are permitted for any one stay within a county that includes three or more islands and has adopted ordinances regulating agricultural tourism under section 205-5, Hawaii Revised Statutes; and
 - (B) Broaden the definition of "bona fide agricultural activity";
- (3) Repealing language in section 205-5(b), Hawaii Revised Statutes, which prohibits agricultural tourism activities within agricultural districts in the absence of a bona fide farming operation; and
- (4) Making this measure effective upon approval.

Your Committee on Conference further finds that this measure, as amended, will still require that agricultural tourism activities coexist with a bona fide agricultural activity in order for the agricultural tourism activities to be permissible within agricultural districts.

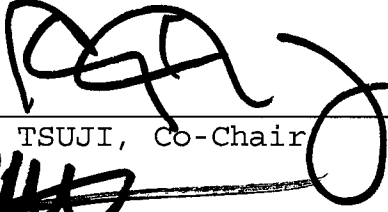
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2341, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2341, S.D. 2, H.D. 2, C.D. 1.



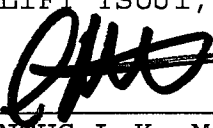
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



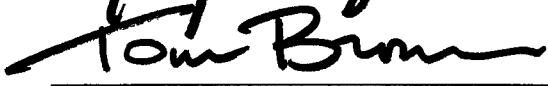
CLIFT TSUJI, Co-Chair



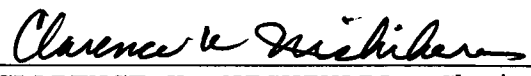
ANGUS L.K. MCKELVEY, Co-Chair



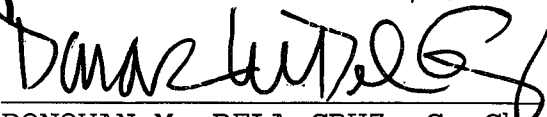
JERREY L. CHANG, Co-Chair




TOM BROWER, Co-Chair



CLARENCE K. NISHIHARA, Chair



DONOVAN M. DELA CRUZ, Co-Chair



DONNA MERCADO KIM, Co-Chair



