A BILL FOR AN ACT

RELATING TO AGRICULTURE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that under article XI, section 3, of the Hawaii State Constitution, the State has the duty to conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency, and assure the availability of agriculturally suitable lands. The State has made sustainability and self-sufficiency in agriculture and food supply a priority.

The legislature further finds that economically affordable, safe, and sanitary on-farm housing units are critical for working farms to attract and retain both long-term and short-term farm workers. Yet, existing laws governing construction of such on-farm housing units are complicated, confusing, and vary across the State. Currently, on-farm housing units must comply with different layers of regulations at the federal level, and laws and rules at the state and county level. Many of the laws and rules governing construction of traditional residential housing units are ill-suited to the demands and economic
realities of working farms. These existing laws, rules, and processes preclude farms from providing safe, sanitary, and affordable on-farm housing units to attract and retain farm workers, and stand as an obstacle to the State's agricultural self-sufficiency.

Accordingly, the purpose of this Act is to establish an agricultural housing task force to analyze and provide recommendations that would streamline existing laws, rules, and processes to authorize the construction of safe and sanitary on-farm housing units for residential use within agricultural districts, on farms that are engaged in agricultural production.

SECTION 2. (a) There is established the agricultural housing task force within the office of planning for administrative purposes only. The agricultural housing task force shall have the following objectives:

(1) Study existing county and state laws, rules, and processes for the construction of housing units for residential use within agricultural districts across the State;

(2) Identify existing barriers in laws, rules, and processes that prohibit the construction of safe and
affordable on-farm housing units for farmworkers, including mobile units for temporary and seasonal farmworkers;

(3) Make recommendations for changes to existing state and county laws, rules, and processes as necessary; and

(4) Propose one master use application process, as well as laws and rules that can be applied consistently throughout the State for the construction of safe and affordable on-farm housing units for farmworkers, including mobile units for temporary and seasonal farmworkers.

(b) The agricultural housing task force shall consist of the following:

(1) The director of the office of planning or the director's designee, who shall serve as chairperson;

(2) The chairperson of the board of agriculture or the chairperson's designee;

(3) The deputy director of the department of health's environmental health administration or the deputy director's designee;
(4) The chairperson of the land use commission or the
chairperson's designee;

(5) One representative member from each of the city and
county of Honolulu, Maui county, Hawaii county, and
Kauai county zoning and planning departments;

(6) Two representative members from an agricultural or
farming association; and

(7) One representative member from a public interest
organization with a focus on housing issues.

(c) Members of the agricultural housing task force shall
be exempt from section 26-34, Hawaii Revised Statutes, and shall
serve without compensation, but shall be reimbursed for
reasonable expenses necessary for the performance of their
duties, including travel expenses.

(d) The agricultural housing task force shall:

(1) Submit a preliminary report of its findings and
recommendations, including any proposed legislation,
to the legislature no later than twenty days prior to
the convening of the regular session of 2021; provided
that the preliminary report shall discuss the issues
listed in subsection (a);
(2) Prepare a draft guide for the public's understanding and benefit explaining the existing process for, and the laws and rules relating to, approval of residential housing in agricultural districts across the State, including county and local ordinances that pertain to each locality, no later than twenty days prior to the convening of the regular session of 2022; and

(3) Submit a final report of its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2025.

(e) The office of planning shall provide administrative and clerical support required by the agricultural housing task force.

(f) The agricultural housing task force shall cease to exist on June 30, 2025.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of $ or so much thereof as may be necessary for fiscal year 2019-2020 and
the same sum or so much thereof as may be necessary for fiscal
year 2020-2021 for the purposes of this Act.
The sums appropriated shall be expended by the office of
planning for the purposes of this Act.
SECTION 4. This Act shall take effect on July 1, 2019.

INTRODUCED BY:
Report Title:
Agricultural Housing Task Force; On-farm Housing; Construction;
Agricultural Districts; Appropriation

Description:
Establishes the agricultural housing task force within the
office of planning to study existing county and state laws,
rules, and processes for construction of housing units within
agricultural districts to identify barriers to construction,
make recommendations, and propose one master use application
process to be applied throughout the State. Makes an
appropriation.

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