

STAND. COM. REP. NO. 982

Honolulu, Hawaii

MAR 01 2019

RE: S.B. No. 381
S.D. 2

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

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 381, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to require the
counties to adopt supplemental ordinances and rules on condominium
property regimes, including agricultural lands held in condominium
property regimes.

Your Committee received testimony in support of this measure
from the Office of Planning, City and County of Honolulu
Department of Planning and Permitting, and O'ahu County Committee
on Legislative Priorities of the Democratic Party of Hawai'i. Your
Committee received testimony in opposition to this measure from
the Hawaii Cattlemen's Council, Inc. Your Committee received
comments on this measure from the Department of Agriculture.

Your Committee finds that better enforcement of agricultural
uses on agricultural lands should be implemented. This measure
clarifies the relationship between county ordinances and
condominium property regimes, including agricultural lands held in
condominium property regimes, which will ensure conformance of
condominium property regimes with the underlying county zoning and
state land use district and applicable development permits. By
allowing county participation in the condominium property regime



process, the counties will be able to develop specific measures to address the particular enforcement issues each county faces with respect to regulating uses and development on lands under condominium property regimes.

Your Committee has amended this measure by:

- (1) Specifying that the declaration required to be executed and recorded when creating a condominium property regime in the agricultural district shall include an additional statement declaring that the condominium property regime complies with applicable county subdivision ordinances and rules; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 381, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 381, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,




ROSALYN H. BAKER, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 381, SD1	PSM/AEN, CPH	2/26/19		
<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 checked="" 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
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
KEOHOKALOLE, Jarrett	✓			
NISHIHARA, Clarence K.	✓			
RUDERMAN, Russell E.				✓
THIELEN, Laura H.	✓			
FEVELLA, Kurt	✓			
TOTAL	6			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes