

STAND. COM. REP. NO. **737**

Honolulu, Hawaii

MAR 04, 2021

RE: H.B. No. 247

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 247 entitled:

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

begs leave to report as follows:

The purpose of this measure is to implement several recommendations with regard to land subdivision and condominium property regime laws relating to agricultural lands made by the Office of Planning as a result of a study conducted pursuant to Act 278, Session Laws of Hawaii 2019.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Planning, Real Estate Commission, Department of Planning and Permitting of the City and County of Honolulu, Hawai'i Farm Bureau, Ulupono Initiative, and one individual. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that inadequate definitions of a bona fide farm have resulted in the proliferation of dwellings without a farm component, fake farms, and gentlemen estates on agricultural land. Your Committee further finds that this measure will promote the use of agricultural land for agriculture by defining a "farm dwelling" to address the current inadequacies, allow county enforcement of unpermitted structures in leasehold subdivisions in the agricultural district, and require county

2021-2094 HB247 HSCR HMSO



comments prior to condominium property regime registration for projects in the agricultural district.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 247 and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: <i>HB 247</i>	Committee Referral: <i>WAL, AGR, JHA</i>	Date: <i>2-24-21</i>
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda				✓
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TODD, Chris	✓			
11. TOKIOKA, James Kunane				✓
12. WARD, Gene	✓			
TOTAL (12)	<i>10</i>	<i>0</i>	<i>0</i>	<i>2</i>

The recommendation is: Adopted Not Adopted
If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

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