

STAND. COM. REP. NO.

846

Honolulu, Hawaii

MAR 05

, 2021

RE: H.B. No. 96

H.D. 1

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

Sir:

Your Committee on Consumer Protection & Commerce, to which  
was referred H.B. No. 96 entitled:

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

begs leave to report as follows:

The purpose of this measure is to increase the maximum area  
for each agricultural shade cloth structure, cold frame, or  
greenhouse not used as a dwelling or lodging unit, that qualifies  
the structure for exemption from building permit and building code  
requirements.

Your Committee received testimony in support of this measure  
from the Department of Agriculture, Office of Planning, College of  
Tropical Agriculture and Human Resources of the University of  
Hawai'i at Mānoa, Hawai'i Farm Bureau, Hawaii Farming LLC, Big  
Island Produce Asset Holdings LLC, Aloun Farms, Ulupono  
Initiative, and one individual. Your Committee received comments  
on this measure from Hydroponics Alternatives LLC.

Your Committee finds that the COVID-19 pandemic has  
highlighted the need to diversify the State's economy, including  
the promotion of agricultural production. Your Committee further  
finds that certain low-risk agricultural structures -- i.e.,  
agricultural shade cloth structures, cold frames, and  
greenhouses -- are provided a limited exemption from county

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building permits and building code requirements. By expanding the limited exemption for these specific low-risk agricultural structures, farmers will have the ability to flex their operations for bigger and more cost-effective protective structures to shelter crops from pest infestation, extreme temperature, excessive rains, long droughts, and feral animals. The broadened exemption proposed by this measure will aid in furthering agricultural production and development in the State.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 96, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 96, H.D. 1.

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

  
AARON LING JOHANSON, Chair



