

STAND. COM. REP. NO.

1673

Honolulu, Hawaii

, 2021

APR 08

RE: S.B. No. 186

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 S.B. No. 186, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RESTRICTIONS ON AGRICULTURAL  
USES AND ACTIVITIES,"

begs leave to report as follows:

The purpose of this measure is to prohibit the enforcement of  
a re-recorded homeowners' association restriction if the  
restriction prohibits bona fide agricultural uses and activities  
on agricultural lands.

Your Committee received testimony in support of this measure  
from the Office of Planning, Hawai'i Farm Bureau, Wootens Produce  
of Kauai, and one individual. Your Committee received comments on  
this measure from the Department of Agriculture.

Your Committee finds that restrictive covenants that limit  
agricultural uses and activities on agricultural lands undermine  
the State's interest in protecting and preserving agricultural  
resources and promoting agricultural self-sufficiency. This  
measure clarifies that renewed covenants restricting agricultural  
uses and activities within the State Land Use Agricultural  
District are considered new contracts and therefore voidable,  
subject to special restrictions.

2021-3000 SB186 HD1 HSCR HMSO



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 S.B. No. 186, H.D. 1, and recommends that it pass Third Reading.

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



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AARON LINE JOHANSON, Chair



State of Hawaii  
House of Representatives  
The Thirty-first Legislature

HSCE 1673

**Record of Votes of the Committee on Consumer Protection & Commerce**

<b>Bill/Resolution No.:</b> SB 186 HD1	<b>Committee Referral:</b> WAL, AGR, CPC	<b>Date:</b> 4/1/21		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>CPC Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. JOHANSON, Aaron Ling (C)	✓			
2. KITAGAWA, Lisa (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. HAR, Sharon E.	✓			
5. HASHEM, Mark J.	✓			
6. KONG, Sam Satoru				✓
7. MIZUNO, John M.	✓			
8. MORIKAWA, Dee	✓			
9. ONISHI, Richard H.K.	✓			
10. TARNAS, David A.	✓			
11. MATSUMOTO, Lauren	✓			
<b>TOTAL (11)</b>	10	0	0	1
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
<b>Vice Chair's or designee's signature:</b> <i>Bisa Kitagawa</i>				
<b>Distribution:</b> Original (White) – Committee     Duplicate (Yellow) – Chief Clerk's Office     Duplicate (Pink) – HMSO				