



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. 767

June 23, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on June 23, 2006, the following bill was signed into law:

SB2774 SD2 HD1 CD1 A BILL FOR AN ACT RELATING TO HOUSING.
(ACT 237)

I have signed this bill in recognition of the immediate need to address the concerns of families residing at Kunia Camp in Central Oahu.

However, I believe the bill is not well thought out and presents long-term problems, which I plan to address administratively and through legislative proposals.

First, the bill constitutes "spot zoning" within a State agricultural district. This approach has the potential to whittle away at the State's most productive and readily irrigated agricultural lands. Further, it runs counter to the principles embodied in the Important Agricultural Lands provisions within the State Constitution and enacted into law by the Legislature in 2005.

Second, there are no safeguards provided within this bill as to the type and use of future housing within "plantation community subdivisions." For example, the bill does not state that the workers must dwell in these structures after the plantation is closed down. The bill also does not prohibit the dwelling from being demolished, rebuilt, or sold or rented to others.

Third, there is nothing in the language of SB 2774 to inhibit a person from constructing a large, up-scale home on the site of a former plantation dwelling. Further, if a company involved in both agriculture and land development elected to build luxury homes for its senior executives on agricultural land and declare these "plantation community subdivisions" the bill does not impede this type of construction.

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Additionally, the bill does not define the boundaries of a "plantation community subdivision," thus allowing additional homes to be built at some time in the future, further encroaching on agricultural properties.

Mayor Hannemann's Administration considered these problems so serious his planning director recommended I veto this bill.

I hope the Legislature will work with my Administration during the balance of the year to address the land-use concerns raised by the enactment of SB 2774.

Sincerely,



LINDA LINGLE

THE SENATE
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

S.B. NO. 2774
S.D. 2
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 SECTION 1. The legislature finds that the closure of Del
2 Monte Fresh Produce will result in significant negative impacts
3 to Kunia pineapple workers. Housing ranks among their primary
4 concerns. Currently, many employees and their families live in
5 plantation homes owned by the company at Kunia Camp. With the
6 closure of Del Monte Fresh Produce, many of these families face
7 the possibility of losing their homes. Housing is a fundamental
8 need, to which every person should have access.

9 With the loss of their jobs, many employees will undergo a
10 transition period as they seek new employment, participate in
11 job training programs, or seek other opportunities. During this
12 stressful period of transition, these employees must be assured
13 that their homes are secure and protected from any action that
14 might declare them to be an impermissible or illegal land use,
15 in the event that those units may require permits for renovation
16 or reconstruction at some time in the future.



1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.
3 SECTION 7. This Act shall take effect upon approval.



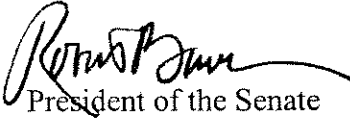
GOVERNOR OF THE STATE OF HAWAII


Approved this day: JUN 23 2006

THE SENATE OF THE STATE OF HAWAII

Date: May 2, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.

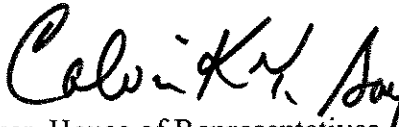


President of the Senate


Clerk of the Senate

**THE HOUSE OF REPRESENTATIVES
OF THE STATE OF HAWAII**

Date: May 2, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the House of Representatives of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.


Speaker, House of Representatives

Clerk, House of Representatives