

Honolulu, Hawaii

March 3, 2006

RE: H.B. No. 2146
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2146 entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

begs leave to report as follows:

The purpose of this bill is to support and encourage diversified agriculture by permitting the leasing of a portion of a parcel for agricultural uses and activities without having to go through the subdivision process to subdivide the parcel.

The University of Hawaii College of Tropical Agriculture and Human Resources, Hawaii Agriculture Research Center, and Hawaii Farm Bureau Federation testified in support of this bill. Kamehameha Schools supported the bill and suggested amendments for clarification. The Sierra Club, Hawaii Chapter, opposed the bill. The Department of Agriculture, Department of Business, Economic Development, and Tourism, Office of Planning, and Land Use Research Foundation of Hawaii provided comments.

Your Committee has amended this bill by:

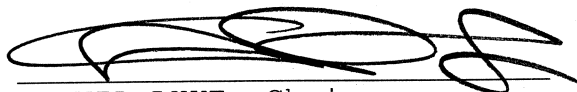
- (1) Clarifying that subdivided leasehold agricultural lots under section 205-4.5(e), Hawaii Revised Statutes, are interests in land that can be used as legal lots of record for mortgage lending purposes, but are exempt from county subdivision ordinances;



- (2) Clarifying the limitation on residential structures;
- (3) Exempting the subdivision of land for agricultural uses within the state land use agricultural district from the Uniform Land Sales Practice Act;
- (4) Changing the effective date to July 1, 2096, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2146, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2146, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



SYLVIA LUKE, Chair



