

Honolulu, Hawaii

April 27, 2006

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

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

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2146, H.D. 1, S.D. 1, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to support and encourage diversified agriculture by permitting the leasing of a portion of an agricultural parcel for agricultural uses and activities without being subject to any county subdivision standards. Specifically, this measure provides that a subdivided agricultural lot is:

- (1) Exempt from all county subdivision standards, provided:
 - (A) It is located within state agricultural districts;
 - (B) There are no temporary or permanent dwellings constructed on the lot; and

HB2146 CD1 HCCR HMS 2006-3754



- (C) The principal use for the land is agricultural;
- (2) Considered a legal lot of record;
- (3) Required to be leased for a minimum of ten years; and
- (4) Automatically reconsolidated to the original lot of record upon the expiration or termination of the lease.

Upon careful consideration, your Committee on Conference has amended this bill by:

- (1) Removing the provision automatically reconsolidating the agricultural subdivision to the original lot of record upon expiration or termination of the lease;
- (2) Changing the minimum time period for agricultural subdivision lease lots from ten or more years to the greater of:
 - (A) The minimum real property tax agricultural dedication period of the county in which the lot is located; or
 - (B) Five years;
- (3) Clarifying that a subdivided lot is required to be treated as, instead of considered as, legal lots of record for mortgage lending purposes;
- (4) Changing the effective date to July 1, 2006; and
- (5) Making technical, nonsubstantive amendments for style, clarity, and consistency.

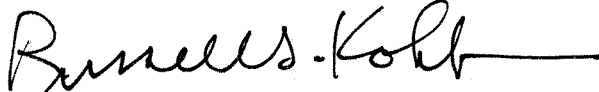
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2146, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached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




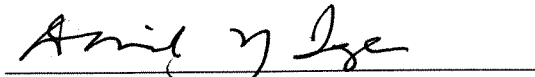
Respectfully submitted on behalf
of the managers:

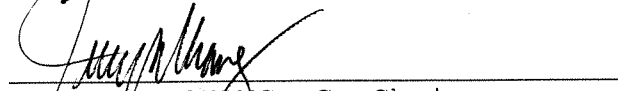
ON THE PART OF THE SENATE

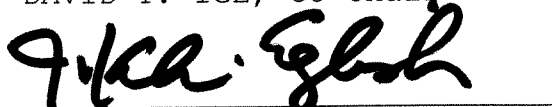
ON THE PART OF THE HOUSE


RUSSELL S. KOKUBUN, Chair


EZRA R. KANOHO, Co-Chair


DAVID Y. IGE, Co-Chair


JERRY L. CHANG, Co-Chair


J. KALANI ENGLISH, Co-Chair


SYLVIA LUKE, Co-Chair



Hawaii State Legislature

Record of Votes of a
Conference Committee

CCR 85-06

Bill / Concurrent Resolution No.: HB 2146, HD 1, SD 1	Date/Time: <i>A-27-06 10:45A</i>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
KOKUBUN, Russell S., Chr.	✓				KANOHO, Ezra R., Co-Chr.	✓			
IGE, David Y., Co-Chr.	✓				CHANG, Jerry L., Co-Chr.	✓			
ENGLISH, J. Kalani, Co-Chr.	✓				LUKE, Sylvia, Co-Chr.	✓			
SLOM, Sam	✓				YAMASHITA, Kyle T.	✓			
					HALFORD, Chris	✓			
TOTAL	<i>4</i>				TOTAL	<i>5</i>			

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is:
 Adopted Not Adopted

House Recommendation is:
 Adopted Not Adopted

Senate Lead Chair's or Designee's Signature:
Russell S. Kokubun

House Lead Chair's or Designee's Signature:
Ezra R. Kano

Distribution: **Original** **Yellow** **Pink** **Goldenrod**
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