

STAND. COM. REP. NO.

3144

Honolulu, Hawaii

APR 25 2006

RE: H.C.R. No. 300
H.D. 1

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

Sir:

Your Committee on Water, Land, and Agriculture, to which was referred H.C.R. No. 300, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION ESTABLISHING A LAND USE WORKING GROUP TO ADDRESS ISSUES RELATING TO NON-AGRICULTURAL ACTIVITY ON AGRICULTURALLY CLASSIFIED LANDS,"

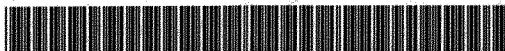
begs leave to report as follows:

The purpose of this measure is to establish a land use working group to address issues relating to non-agricultural activity on agriculturally classified lands.

Testimony in support of this measure was submitted by the Department of Agriculture, Office of Planning, and the Hawaii Farm Bureau Federation. Comments were also submitted by the Executive Officer of the Land Use Commission, the Hawaii Association of Realtors, and the Land Use Research Foundation.

Your Committee finds that for many decades, agriculturally classified lands have been used for non-agricultural purposes. Over the years, the Legislature has "grandfathered" improperly placed dwellings on agricultural lands or has carved out exceptions for these lands neighboring income-producing parcels. However, your Committee finds that these previous amendments to the law have only served to expand non-agricultural activity on agriculturally classified lands. This measure establishes a land use working group to address the use of non-agricultural activity on agriculturally classified lands and requests the working group to submit its findings and recommendations to the Legislature.

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Your Committee noted and concurs with the testimony from the Office of Planning identifying that the Land Use Working Group could provide a critical function by examining the range of issues raised in the resolution and those being raised in the important agricultural lands incentives and rural policy activities currently being conducted in response to Acts 183 and 205, Session Laws of Hawaii 2005.

Your Committee further noted from the Office of Planning that the immediate convening of the Land Use Working Group may conflict with other working groups currently assembled, as these other working groups are comprised of many of the same members as outlined for the Land Use Working Group. Thus, the Office of Planning suggests that the Land Use Working Group convene in the fall of 2006 with the purpose of consolidating the recommendations of the Agricultural Incentives and Rural Planning working groups, identifying any additional information needed prior to the start of the 2007 regular session, and providing an opportunity for early review and comment on the proposals.

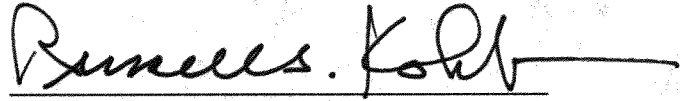
Your Committee finds that the consolidation, review, and public comment on a statewide level in the fall of 2006 is appropriate, as there will be a number of challenging land use, rural, and agricultural land policy issues that will need to be addressed in 2007.

Your Committee also noted testimony from the Hawaii Association of Realtors requesting to be included in the working group. Your Committee believes that this suggestion has merit and finds that the Land Use Working Group should consult with the Hawaii Association of Realtors for guidance and input.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 300, H.D. 1, and recommends its adoption.



Respectfully submitted on
behalf of the members of the
Committee on Water, Land, and
Agriculture,



RUSSELL S. KOKUBUN, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Water, Land and Agriculture
(Bills and Resolutions)

Measure:* <i>HCR300 HD/</i>	Committee Referral: <i>WLA</i>	Date: <i>4/21/06</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to:				
<input checked="" type="checkbox"/> Pass, unamended (2312)	<input type="checkbox"/> Pass, with amendments (2311)	<input type="checkbox"/> Hold (2310)		
<input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
KOKUBUN, Russell S. (C)	✓			
HOOSER, Gary L. (VC)	✓			
ENGLISH, J. Kalani				✓
FUKUNAGA, Carol	✓			
HEMMINGS, Fred	✓			
TOTAL	<i>4</i>			<i>1</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>[Signature]</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Do not list more than one measure per Record of Votes.