

Honolulu, Hawaii

Feb 29, 2008

RE: H.B. No. 2807  
H.D. 2

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 2807, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to provide incentives for landowners to designate their lands as important agricultural lands (IALs) by:

- (1) Allowing a landowner, who has been granted a declaratory order from the Land Use Commission (LUC) to designate all or some of the landowner's land as IAL, to fulfill a state or county affordable housing assessment (assessment) by providing affordable housing in lands zoned as rural in lieu of satisfying the assessment in the urban district; and
- (2) Revising the landowner petition process for IAL designation by:
  - (A) Specifying that a farmer or landowner may petition LUC for declaratory order to designate lands as IALs in perpetuity; and
  - (B) Allowing farmers or landowners that petition the LUC for declaratory order to designate lands as IALs in perpetuity to seek, in the same petition, a



reclassification of land from the agricultural district to the rural district, urban district, or a combination of both, under certain conditions.

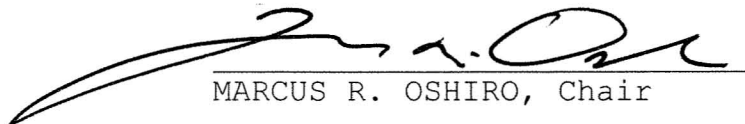
The Department of Planning and Permitting of the City and County of Honolulu, Sierra Club, Hawaii Chapter, and a concerned individual opposed this bill. The Department of Agriculture, Office of Planning, Kamehameha Schools, The Chamber of Commerce of Hawaii, Hawaii Farm Bureau Federation, Castle & Cooke Hawaii, Dole Food Company Hawaii, Alexander & Baldwin, Inc., Hawaiian Commercial & Sugar Company, Kauai Coffee Company, Inc., and Land Use Research Foundation of Hawaii submitted comments.

Your Committee has amended this measure by:

- (1) Conforming existing law relating to the standards and criteria for reclassification or rezoning of IALs to the provisions in this measure that revise the landowner petition process for IAL designation; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2807, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2807, H.D. 2.

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

  
MARCUS R. OSHIRO, Chair



HSCR 914-08

Record of Votes of the Committee on Finance

Bill/Resolution No.: <b>HB 2807</b>	Committee Referral: <b>FIN</b>	Date: <b>2-22-2008</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="checked" 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)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)	✓			
2. LEE, Marilyn B. (VC)	✓			
3. AWANA, Karen Leinani	✓			
4. BELATTI, Della Au		✓		
5. BROWER, Tom	✓			
6. CARROLL, Mele		✓		
7. HANOHANO, Faye P.	✓			
8. HAR, Sharon E.	✓			
9. KARAMATSU, Jon Riki	✓			
10. MAGAOAY, Michael Y.	✓			
11. MANAHAN, Joey	✓			
12. MIZUNO, John	✓			
13. NAKASONE, Bob				✓
14. RHOADS, Karl	✓			
15. SAGUM, Roland D., III	✓			
16. TOKIOKA, James Kunane	✓	✓		
17. MEYER, Colleen Rose		✓		
18. PINE, Kymberly Marcos		✓		
19. WARD, Gene, Ph.D.	✓			
<b>TOTAL (19)</b>	<b>14</b>	<b>4</b>	<b>0</b>	<b>1</b>
The recommendation is:	<input checked="checked" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted	
	If joint referral, _____ did not support recommendation. committee acronym(s)			
Vice Chair's or designee's signature:	<u>Marilyn B. Lee</u>			
Distribution:	Original (White) – Committee		Duplicate (Yellow) – Chief Clerk's Office	