

STAND. COM. REP. NO.

3418

Honolulu, Hawaii

APR 04 2008

RE: H.B. No. 2450
H.D. 1
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 2450, H.D. 1, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to require the Land Use Commission, if the Commission receives a request to reclassify a land district to an urban or rural district designation that is contiguous to an existing designated agricultural district, to inform the applicant requesting the reclassification of the presence of the existing agricultural and contiguous agricultural district.

This measure also requires, as a condition for the land use district reclassification, that the applicant permit the continued operation of any existing farming operation on the contiguous agricultural district, and that the applicant not declare any farming operation a nuisance and otherwise comply with the Hawaii Right to Farm Act.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development & Tourism; Department of Agriculture; Hawaii Farm Bureau Federation; and Lalamilo Farm Lots Association. Testimony in opposition was received from Hawaii's Thousand Friends.



Your Committee finds that developers desire to maximize the use of their lands, thus forcing adjacent farmers to curtail or terminate the use of their land for farming. The intent of this measure is to protect, preserve, and perpetuate farm operations that may be adjacent to developed land as a result of a land reclassification proceeding.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to continue the discussions in this matter; and
- (2) Making a technical, nonsubstantive amendment.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2450, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2450, H.D. 1, S.D. 2.

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



BRIAN T. TANIGUCHI, Chair



