

STAND. COM. REP. NO.

1078

Honolulu, Hawaii

APR 08 2011

RE: H.B. No. 1230
H.D. 2
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committees on Agriculture and Water, Land, and Housing and Public Safety, Government Operations, and Military Affairs, to which was referred H.B. No. 1230, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO BUILDING PERMITS,"

beg leave to report as follows:

The purpose and intent of this measure is to exempt from the county permitting process the construction of low-risk nonresidential agricultural and aquacultural structures, under certain conditions.

Your Committees received testimony in support of this measure from the East Oahu County Farm Bureau; Aquaculture Planning and Advocacy LLC; Oceanic Institute; Hawaii Aquaculture and Aquaponics Association; Hawaii Agriculture Research Center; Kunia Water Cooperative; Deeo Blue Research; Hawaii Cattlemen's Council; Day2 Resources LLC; Analytical Services Inc.; Hawaii Farm Bureau Federation; Island Harvest Inc.; and six individuals. Your Committees received testimony in opposition to this measure from the Department of Planning and Permitting of the City and County of Honolulu, State Fire Council, Honolulu Fire Department, Kauai Fire Department, and Department of Fire and Public Safety of the County of Maui. Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that nonresidential agricultural and aquacultural buildings are often required to meet the same county



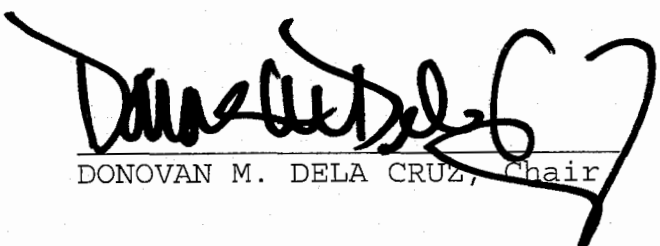
permitting requirements as commercial buildings and buildings used for human habitation. This measure will reduce the start-up and expansion costs incurred by local farmers by allowing the expeditious and efficient construction of small, low-risk, nonresidential structures used for agricultural or aquacultural operations. Farmers will be able to use readily available, low-cost structures to store materials, equipment, and other supplies while also protecting their assets against inclement weather, vandalism, and theft.

Your Committees have amended this measure by:

- (1) Including the raising of animals under the definition of "agricultural" as it relates to operations conducted by certain structures, exempting those structures from county building permitting under this measure; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Water, Land, and Housing and Public Safety, Government Operations, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1230, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1230, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committees on Agriculture and Water, Land, and Housing and Public Safety, Government Operations, and Military Affairs,


DONOVAN M. DELA CRUZ, Chair

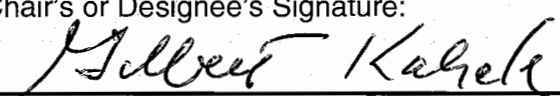

CLARENCE K. NISHIHARA, Chair


WILL ESPERO, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Agriculture
AGL

Bill / Resolution No.:*	Committee Referral:	Date:
HB1230, HD2	AGL/WLH/PGM	4-5-11
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is:		
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310
<input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
NISHIHARA, Clarence K. (C)	✓	
KAHELE, Gilbert (VC)	✓	
CHUN OAKLAND, Suzanne		
DELA CRUZ, Donovan M.	✓	
KOUCHI, Ronald D.		✓
SHIMABUKURO, Maile	✓	
TOKUDA, Jill N.		
WAKAI, Glenn	✓	
SLOM, Sam	✓	
TOTAL	6	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
		
Distribution:	Original	Yellow
File with Committee Report	Clerk's Office	Pink
		Drafting Agency
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		Committee File Copy

*Only one measure per Record of Votes

The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Government Operations, and
Military Affairs
PGM

Bill / Resolution No.:* HB 1230, HDZ	Committee Referral: AGL/WLH/PGM	Date: 4-5-11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
KIDANI, Michelle N. (VC)	✓			
BAKER, Rosalyn H.				✓
RYAN, Pohai	✓			
SLOM, Sam	✓			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
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