

STAND. COM. REP. NO. 1538-12

Honolulu, Hawaii

April 5, 2012

RE: S.B. No. 2341  
S.D. 2  
H.D. 2

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which  
was referred S.B. No. 2341, S.D. 2, H.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 permit agricultural tourism activities, including overnight accommodations of 21 days or less, in an agricultural district within a county; provided that the activities are permitted under an ordinance of the county regulating agricultural tourism under section 205-5, Hawaii Revised Statutes.

An individual member of the Maui County Council and several individuals supported this measure. The Hawaii Farm Bureau Federation supported the intent of this measure. Windward Ahupuaa Alliance supported this measure with amendments. The Department of Agriculture; the Office of the Mayor of the City and County of Honolulu; the Kuliouou/Kalani Iki Neighborhood Board No. 2; Hawaii's Thousand Friends; the Sierra Club, Hawaii Chapter; and numerous individuals opposed this measure. The Office of Planning and an individual commented on this measure.

SB2341 HD2 HSCR WLO HMS 2012-3342



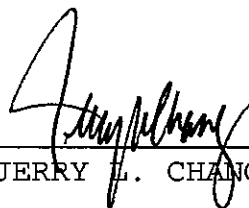
Your Committee has amended this measure by:

- (1) Permitting agricultural tourism activities, including overnight accommodations of 21 days or less in counties with a population of greater than 100,000 persons, but less than 150,000 persons;
- (2) Requiring that agricultural tourism activities coexist with a bona fide farming operation;
- (3) Defining "bona fide agricultural activity";
- (4) Restoring language that prohibits agricultural tourism activities in the absence of a bona fide farming operation; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the population figures referenced in this measure are based on the 2010 Census.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2341, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2341, S.D. 2, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land, &  
Ocean Resources,

  
\_\_\_\_\_  
JERRY L. CHANG, Chair



HSCR 1538-12

State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.: <b>SB 2341, SD2, HD1</b>	Committee Referral: <b>AGR/ERB, WLO</b>	Date: <b>1/4/17</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="" 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)				
WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. CHANG, Jerry L. (C)	X			
2. HAR, Sharon E. (VC)	X			
3. CABANILLA, Rida T.R.			^	
4. CARROLL, Mele				X
5. COFFMAN, Denny				X
6. HERKES, Robert N.				X
7. ITO, Ken	X			<del>X</del>
8. KAWAKAMI, Derek S.K.	X			
9. NAKASHIMA, Mark M.	X			
10. RIVIERE, Gil	^			
11. THIELEN, Cynthia			X	
<b>TOTAL (11)</b>	<b>6</b>		<b>2</b>	<b>3</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee acronym(s) did not support recommendation.				
Vice Chair's or designee's signature: _____ 				
Distribution:    Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				