

STAND. COM. REP. NO.

438

Honolulu, Hawaii
February 14, 2013

RE: H.B. No. 1266
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committees on Agriculture and Tourism, to which was referred H.B. No. 1266 entitled:

"A BILL FOR AN ACT RELATING TO OVERNIGHT ACCOMMODATIONS ON AGRICULTURAL LANDS,"

beg leave to report as follows:

The purpose of this measure to clarify that agricultural tourism must occur in the presence of a bona fide agricultural activity.

The Department of Planning and Permitting of the City and County of Honolulu testified in opposition to this measure. The Department of Agriculture submitted comments.

Your Committees have amended this measure by:

- (1) Inserting provisions that allow for agricultural tourism uses and activities, including overnight accommodations solely in conjunction with bona fide farming operations;
- (2) Deleting the provision of current law that restricts agricultural tourism activities to a county that includes at least three islands and has adopted ordinances regulating agricultural tourism activities;



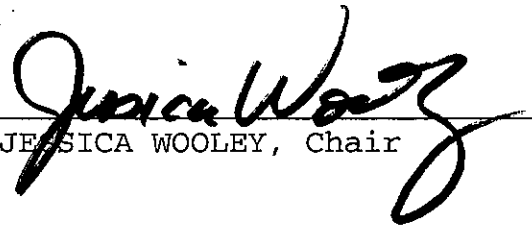
- (3) Increasing the duration of a permissible overnight accommodation stay from twenty-one days or less to less than thirty consecutive days;
- (4) Allowing each county to adopt more restrictive standards and requirements than those contained in this measure for permitting and regulating agricultural tourism uses and activities, including by adopting interim rules or ordinances that remain in effect until the county has adopted or amended applicable county codes;
- (5) Providing that this measure shall not invalidate a lawful permit for an agricultural tourism use including overnight accommodations on lands in the agricultural district in effect on or before the effective date of this measure;
- (6) Changing its effective date to be effective, upon its approval, on July 1, 2014; and
- (7) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1266, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1266, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committees on Agriculture and
Tourism,



TOM BROWER, Chair



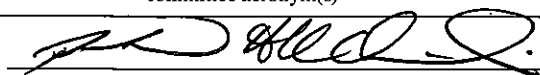
JESSICA WOOLEY, Chair



HSOR 438

State of Hawaii
House of Representatives
The Twenty-seventh Legislature

Record of Votes of the Committee on Agriculture

Bill/Resolution No.: HB1766	Committee Referral: AGR/TOU, CPC	Date: 2/7/13		
<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)				
AGR Members	Ayes	Ayes (WR)	Nays	Excused
1. WOOLEY, Jessica (C)	✓			
2. ONISHI, Richard H.K. (VC)	✓			
3. BROWER, Tom	✓			
4. CACHOLA, Romy M.				✓
5. CHOY, Isaac W.	✓			
6. OHNO, Takashi				✓
7. TAKAYAMA, Gregg	✓			
8. TOKIOKA, James Kunane	✓			
9. TSUJI, Clift	✓			
10. CHEAPE, Lauren Kealohilani	✓			
11. WARD, Gene		✓		
TOTAL (11)	8	1		2
The recommendation is: <input 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: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

