

Honolulu, Hawaii

FEB 28 2013

RE: S.B. No. 586

S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Agriculture and Public Safety,
Intergovernmental and Military Affairs, to which was referred S.B.
No. 586 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to provide, under certain circumstances, an exemption from building code and permit requirements for nonresidential buildings or structures on commercial farms and ranches located outside the urban district.

Your Committees received testimony in support of this measure from the Hawaii Farm Bureau Federation, Local Food Coalition, East Oahu County Farm Bureau, Maui Cattlemen's Association, Land Use Research Foundation of Hawaii, Orchid Growers of Hawaii, W.H. Shipman Limited, Hui O Malama Aina, Hawaii Aquaculture and Aquaponics Association, Primavera Aquaponics, Ulupono Initiative, and seven individuals. Your Committees received testimony in opposition to this measure from the Department of Labor and Industrial Relations, County of Maui Department of Public Works, City and County of Honolulu Department of Planning and Permitting, and Historic Hawaii Foundation. Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that current county building code and state building requirements are designed for commercial and residential buildings in urban areas and are not applicable to

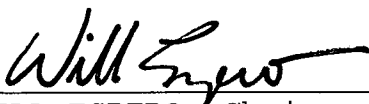


farm structures such as greenhouses, storage sheds, and fish tanks that pose little safety risk to the public. Your Committees further find that building code requirements are financially and logistically burdensome to farming and ranching operations and deter agricultural development and expansion. Your Committees conclude that the agricultural exemptions provided by this measure will significantly ease the financial and administrative burden on farmers and ranchers with minimal risk to the public safety.

Your Committees have amended this measure by inserting language ensuring that section 46-88(a), Hawaii Revised Statutes, trumps conflicting state laws.

As affirmed by the records of votes of the members of your Committees on Agriculture and Public Safety, Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 586, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 586, 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
Public Safety,
Intergovernmental and Military
Affairs,



WILL ESPERO, Chair



CLARENCE K. NISHIHARA, Chair



