

# HB 2560

## HD2

<b>Measure Title:</b>	RELATING TO FAMILY CHILD CARE HOMES.
<b>Report Title:</b>	Family Child Care Homes; Agriculturally Zoned Lands
<b>Description:</b>	Permits family child care homes in agriculturally designated districts if located in a farm dwelling constructed prior to July 1, 2014. Effective July 1, 2014. (HB2560 HD2)
<b>Companion:</b>	
<b>Package:</b>	None
<b>Current Referral:</b>	HMS/AGL, PSM
<b>Introducer(s):</b>	TAKUMI

**NEIL ABERCROMBIE**  
Governor



**SCOTT E. ENRIGHT**  
Chairperson, Board of Agriculture

**KEN H. KAKESAKO**  
Deputy to the Chairperson

State of Hawaii  
**DEPARTMENT OF AGRICULTURE**  
1428 South King Street  
Honolulu, Hawaii 96814-2512  
Phone: (808) 973-9600 FAX: (808) 973-9613

**TESTIMONY OF SCOTT E. ENRIGHT  
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEES ON HUMAN SERVICES AND AGRICULTURE  
TUESDAY, MARCH 11, 2014**

**2:00 P.M.**

**Room 016**

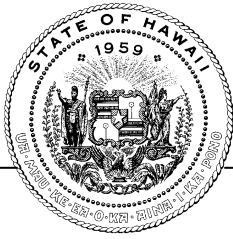
**HOUSE BILL NO. 2560, HOUSE DRAFT 2  
RELATING TO FAMILY CHILD CARE HOMES**

Chairpersons Chun Oakland and Nishihara and Members of the Committees:

Thank you for the opportunity to testify on House Bill No. 2560, House Draft 2. This bill makes family child care homes a permitted use in all agriculturally designated districts, if the care home is located in a farm dwelling constructed prior to July 1, 2014. The Department of Agriculture has concerns about allowing uses and activities on agricultural land that have no relationship to agricultural production. We believe the existing special permit process described in Section 205-6 is the appropriate means by which uses such as that described in this measure may be considered on a case-by-case basis.

Thank you for the opportunity to present our testimony.





**OFFICE OF PLANNING  
STATE OF HAWAII**

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**NEIL ABERCROMBIE**  
GOVERNOR

**JESSE K. SOUKI**  
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Statement of the  
**OFFICE OF PLANNING**  
before the  
**SENATE COMMITTEE ON HUMAN SERVICES  
AND  
SENATE COMMITTEE ON AGRICULTURE**

Tuesday, March 11, 2014  
2:00 PM  
State Capitol, Conference Room 016

in consideration of  
**HB 2560, HD2**  
**RELATING TO FAMILY CHILD CARE HOMES.**

Chairs Chun Oakland and Nishihara, Vice Chairs Green and Kouchi, and Members of the Senate Committees on Human Services and Agriculture.

The Office of Planning offers the following comments on HB 2560, HD 2, which amends Hawaii Revised Statutes (HRS) § 46-15.3.5 to allow family child care homes in agriculturally designated districts if located in a farm dwelling. Currently, the State Land Use Law in HRS §§ 205-2 and 205-4.5 does not allow family child care homes as a permitted use.

Allowing non-agricultural uses in the State Agricultural District may contribute to the impermanence syndrome, whereby agricultural use declines due to farmers' disinvestment in their farm operations in anticipation of development. This has been observed to occur where competing uses are allowed in areas designed for agricultural uses.<sup>1</sup>

The list of non-agricultural uses allowed in the State Agricultural District has grown over time. Currently, HRS § 205-2 allows the following non-agricultural uses: wind generated energy production; biofuel production; limited solar energy facilities; wind machines and wind farms;

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<sup>1</sup> *Impermanence Syndrome – Have you got it?*, Rutgers, at <http://njsustainingfarms.rutgers.edu/farmlandissues.html> (last visited, Feb. 3, 2014).

small-scale meteorological, air quality, noise, and other scientific and environmental data collection and monitoring facilities; open area recreational facilities; and geothermal resources exploration and geothermal resources development. The list of non-food related uses is longer still.

The State Special Permit under HRS § 205-6 grants counties the authority to allow “certain unusual and reasonable uses within agricultural and rural districts other than those for which the district is classified[.]” In other words, the Special Permit process allows uses in the State Agricultural District that are not agricultural uses or related to agricultural uses on a case-by-case basis. Although we do not advocate for allowing non-agricultural uses within the State Agricultural District, this established process allows counties to review non-agricultural uses to mitigate impacts on the State Agricultural District.

Thank you for the opportunity to testify on this measure.

**HB2560**

Submitted on: 3/5/2014

Testimony for HMS/AGL on Mar 11, 2014 14:00PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mike Molina	Mayor Alan Arakawa, County of Maui	Support	No

Comments:

Council Chair  
Gladys C. Baisa

Vice-Chair  
Robert Carroll

Presiding Officer Pro Tempore  
Michael P. Victorino

Council Members  
Elle Cochran  
Donald G. Couch, Jr.  
Stacy Crivello  
Don S. Guzman  
G. Riki Hokama  
Mike White



Director of Council Services  
David M. Raatz, Jr., Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
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WAILUKU, MAUI, HAWAII 96793  
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March 10, 2014

TO: The Honorable Clarence K. Nishihara, Chair  
Senate Committee on Agriculture  
  
The Honorable Suzanne Chun Oakland, Chair  
Senate Committee on Human Services

FROM: Gladys C. Baisa  
Council Chair 

SUBJECT: **HEARING OF MARCH 11, 2014; TESTIMONY IN SUPPORT OF HB 2560, HD2,  
RELATING TO FAMILY CHILD CARE HOMES**

Thank you for the opportunity to testify **in support of** this important measure. The purpose of this measure is to permit family child care homes in agriculturally designated districts if located in a farm dwelling constructed prior to July 1, 2014.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

1. Few preschools are available to serve families in agricultural communities. This bill will ensure that working parents have a variety of childcare options to meet their family's needs.
2. Many qualified childcare providers in Maui County agricultural districts, including Haiku, Makawao, and Kula, do not have the funds, time, or expertise to obtain the special use permit currently required to provide childcare services.
3. Quality child care is absolutely necessary for maximum child development, but it is often too expensive. Allowing child care in agricultural districts would improve affordability. It would also allow farmers to take care of their own kids and children in their communities in a unique country setting, which would be appealing and beneficial to many families.

For the foregoing reasons, I **support** this measure.



March 7, 2014

TO: Chair Suzanne Chun-Oakland  
Vice-Chair Josh Green

Chair Clarence Nishihara  
Vice-Chair Ronald Kouchi

Members of the Senate Committee on Human Services  
Members of the Senate Committee on Agriculture

FROM: Deborah Zysman  
Good Beginnings Alliance

RE: **Support for HB2560 HD2: RELATING TO FAMILY CHILDCARE HOMES**

The Good Beginnings Alliance (GBA) **supports HB2560 HD2**, which would permit family childcare homes in agriculturally designated districts. The services offered by family childcare homes in these particular districts are for many families the only form of childcare that is available and affordable. We appreciate the concerns raised by the Department of Agriculture and hope that the stakeholders can work together to address the underlying issues that necessitate this measure – including the cost prohibitive aspect of applying for a special use permit.

GBA strongly supports HB2560 HD2 and thanks the committees for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to be "Deborah Zysman", written over a light gray horizontal line.

Deborah Zysman  
Executive Director  
Good Beginnings Alliance



Supporting Hawaii's Child Care Needs

**To: HUMAN SERVICES & AGRICULTURAL COMMITTEES**

Chairs: Senator Chun-Oakland; Senator Josh Green

**From: Katy Chen, Executive Director**

PATCH – People Attentive to Children

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Fax: (808) 322-0100

**Member of:**

Child Care Aware  
NAFCC  
Aloha United Way  
Kauai United Way  
Hawaii Island United Way  
BBB of Hawaii, Accredited Charity

Date: March 11, 2014, 2pm

**Subject: HB 2560 HD2 –  
RELATING TO FAMILY CHILD CARE HOMES &  
AGRICULTURAL LANDS**

**PATCH supports HB 2560 HD2 with further amendments as it will make family child care homes a permitted use on agricultural lands and thus fulfill a serious need for safe, affordable child care in rural areas.**

Thank you for the opportunity to submit testimony regarding HB2560 HD2. I am Katy Chen, Executive Director of PATCH – People Attentive to Children. PATCH is Hawaii's only statewide child care resource and referral nonprofit. We respond to 8,000+ enquiries each year from parents looking for referrals to safe, affordable, quality child care. PATCH also trains 4,000+ people each year in the field of early childhood education and care.

We are in favor of HB 2560 HD2 with further amendments. The bill is important to address a loophole in the laws regarding permitted uses on land designated as agricultural throughout the State of Hawaii. Currently 50+ family child care providers (FCCs) already licensed by the State Department of Human Services operate their daycare businesses in single family dwellings situated on agricultural lands. They serve over 300 children statewide. Many have operated for decades.

It has come to the attention of DHS that these family child care homes licensed by the DHS violate the land use laws for agricultural districts. DHS has declined to renew the annual licenses of some of these FCCs unless they obtain a special use permit, particularly in Maui County. Obtaining such permits are costly. For e.g. in Maui County, it requires an initial investment of \$550+ for the application fee and another \$3,000 to \$15,000 in consulting fees (e.g. surveyors) to complete the required attachments. These fees are too exorbitant for FCCs who earn on average \$20,000 a year as one of the lowest paid professions in America.



There is a child care crisis in Hawaii. Only one licensed child care space exists for every seven children under the age of 5 in Hawaii. This means many children are put into unlicensed, unregulated child care which can be unsafe.

For rural areas, the problem is even larger due to the scarcity of licensed preschools, daycare centers and daycare homes. PATCH has worked to increase the number of licensed child care spaces for years – a difficult task. Hawaii cannot afford to lose existing licensed child care spaces as parents will have no safe place to take their children while they go to work. On Maui, 1 in 4 licensed FCCs are currently on agricultural land. That number increases to 1 in 3 on the Big Island. If they were to shut down over this permitting issue, 300 children would not have anywhere to go. This would be a devastating blow to the child care sector.

FCCs have a legal limit of just 6 children and must be operated within the confines of a single family home. We are asking only that any lawful single family dwelling in agricultural districts, also allow for FCC as a permitted use. These types of small businesses are operated like an extension of the family living there, hence the term, “Family Child Care.”

The bill requires no additional construction to the family home nor does the bill mean to impact the designation of any agricultural district. It would simply allow DHS to license a legal private residence on agricultural land to care for up to 6 children – without a costly special use permit. Since DHS has already been doing this for years, it would fix a legal loophole, restore small business, and help those young families needing child care throughout the State.

PATCH recommends the HB 2560 HD2 be further amended to also include future single family dwellings on agricultural lands. Thus, reference to farm dwellings “constructed after July 1, 2014” should be deleted. The community needs more licensed child care homes, especially since many close down each year. FCCs may move from one property to another in rural areas and/or they may build a new home on agricultural land. In order to meet the public’s needs, licensed child care should be allowed in single family dwellings regardless of the date of construction. For e.g., DHHL is in the process of completing 24 single family homes on agricultural lands in the Ka’u District on Maui. There is a shortage of licensed child care in that area and having the ability to license one of them for child care would be very beneficial to the community.

PATCH also recommends that HB 2560 HD2 be further amended to note that the definition of “family child care” include 1-6 children, and not just 3-6 children. Licensing allows for 1-6 children and to do otherwise, would imply that caring for 2 children in the home would be unlawful, but caring for 3 would be okay. That is nonsensical.

Thank you for allowing me to submit this testimony.



PROTECTING HAWAII'S OHANA, CHILDREN, UNDER SERVED, ELDERLY AND DISABLED

**Board of Directors**

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*Nanci Kreidman, Vice Chair*  
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*Robert Naniole*  
*Ruthann Quitiquit*  
*Darcie Scharfenstein*  
*Alan Shinn*  
*Laura Smith*

TO: Senator Suzanne Chun Oakland, Chair  
Senator Josh Green, Vice Chair  
Members, Committee on Human Services

Senator Clarence K. Nishihara, Chair  
Senator Ronald D. Kouchi, Vice Chair  
Members, Committee on Agriculture

FROM: Scott Morishige, Executive Director, PHOCUSED

HEARING: Senate Committees on Human Services & Agriculture  
**Tuesday, March 11, 2014 at 2:00 p.m. in Conf. Rm. 016**

**Testimony in Support of HB2560 HD2, Relating to Family Child Care Homes.**

Thank you for the opportunity to provide testimony **in support** of HB2560, which would permit family child care homes to operate on agriculturally zoned lands. PHOCUSED is a statewide coalition of health, housing, and human services organizations committed to strengthening policies and programs that benefit the marginalized and underserved in Hawaii. HB2560 currently contains language that will allow family child care homes to be operated on agriculturally zoned lands in farm dwellings constructed prior to July 1, 2014 -- While we support this bill, we respectfully request that this bill be amended to allow family child care homes to be operated in farm dwellings regardless of the dwelling's construction date.

There is a shortage of licensed child care providers in Hawaii -- it is estimated that one licensed child care space exists for every seven children under the age of 5. This shortage is even more severe in rural communities. Family Child Care providers (FCCs), which are licensed and regulated by the State Department of Human Services, are one safe option available for rural families in locations where licensed preschools and daycare centers are limited.

Although FCCs have operated on agriculturally zoned lands without controversy for many years, the DHS office in Maui County has recently declined to renew the annual licenses for FCCs on agriculturally zone lands unless they obtain a costly special use permit. Currently, State laws do not specifically permit the operation of FCCs on agriculturally zoned lands -- this has created a loophole in the law that potentially places 25% of FCCs operating in Maui County in jeopardy despite the fact that these FCCs have operated for a number of years without previous restrictions. HB2560 would close the loophole in the current law and clarify that FCCs are allowable in single family dwellings on agriculturally zoned lands without a special use permit, and would provide increased access to safe, regulated child care in rural communities. In particular, HB2560 would increase access to safe child care on the neighbor islands -- It is estimated that one in four FCCs in Maui County will be impacted by this law, and as many as one in three FCCs in Hawaii County.

Once again, PHOCUSED respectfully requests your support of this bill with further amendments that would allow FCCs to operate in farm dwellings regardless of the dwelling's construction date. We appreciate the opportunity to testify this morning. If you have any questions, please do not hesitate to contact PHOCUSED at 521-7462 or by e-mail at [admin@phocused-hawaii.org](mailto:admin@phocused-hawaii.org).

Robin's Child Care  
Robin Fisher  
Kailua-Kona, Hawaii  
[robinschildcare2002@gmail.com](mailto:robinschildcare2002@gmail.com)

March 10, 2014

Joint Senate Committees of Human Services and Agriculture

Re: Family Child Care on Agricultural Land

I am a licensed Family Child Care Provider from the Big Island, District 7. I represent Family Child Care Home Providers for the State Child Care Advisory Committee. I have been a child care provider for almost twelve years. In my Licensed Child Care Home I mostly care for infant and toddlers. I build a trust and bond with the children and parents. It takes time to build this trust and that is why it is so important to preserve this bond. Please amend the rules so it does not disrupt any child in any Family Child Care Home even though they are on Agricultural Land.

Please make an amendment in the law to include residences built on Ag land AFTER July 1, 2014. Providers may move to another Ag property and want to reopen their business there. Also, they may build another dwelling and should have the right to keep their businesses going.

I have found that I need to adjust my family child care to the needs of the community. Some parents want as much time as they can with their young child so they will send their child to me three times a week. One child comes one to two mornings a week. Many times it is just a transition into full time care. I am a mother and I totally want them to have as much time with their mom and dad as possible. The problem I have is that I need to also provide for my family financially. I think an amendment should be made to read:

(b) For the purposes of this section, "family child care home" means a private residence, including an apartment, unit, or townhouse, as those terms are defined in section 502C-1, at which care may be provided ~~for three~~ to no more than six children who are unrelated to the caregiver by blood, marriage, or adoption at any given time.

Please support these amendments so we can continue providing care for many children.

Thank you,

Robin Fisher  
Family Child Care Provider

## Testimony in support of House Bill 2560

Relating to Family Child Care Homes

### COMMITTEE ON HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair

Senator Josh Green, Vice Chair

### COMMITTEE ON AGRICULTURE

Senator Clarence K. Nishihara, Chair

Senator Ronald D. Kouchi, Vice Chair

Tuesday, March 11, 2014 at 2pm

Conference Room 016

Aloha Chairman Chun Oakland, Chair Nishihara and members of the Committees:

My name is Ailina Tagupa-Laborte. I am the PATCH Maui Coordinator and a mother to 4 year old Thaddeus James. I am writing to seek support of HB2560. I have been hearing first hand of the difficulties to conduct family child care home businesses from providers and parents of children who are in their care. Each one has been licensed by the Department of Human Services and have been compliant thus far with what they knew to be the rules of engagement in owning a child care business legally in Maui County. Many providers have been caring for children on lands such as agricultural, urban, interim, and project zoning for many years. These particular zones be it of state or county jurisdiction have now posed a hindrance not only to the providers who are caring for children, but their working families as well.

Maui as well as other neighbor islands have always been unique with regards to family child care because our providers find it takes a whole village to raise a child. What does this mean? It means our local hard-working families can contribute to our society and most importantly to the State of Hawaii economically without having to worry if their child can be cared for by anyone else with whom they've chosen. This is important because parents must provide for their families and there are so many of them working in the state's largest industry – tourism. Many other parents we've encountered also work for the State of Hawaii, the County of Maui, and top notch businesses in the field of technology, sustainability, and the financial sector. All extremely important to the state's income and the roles each of yourselves play to making Hawaii and amazing place to live and work.

As a parent, I have used both center-based care and family child care providers to help me meet my career objectives – helping others like myself who find it essential to go to work, make ends meet, put food on the table, and make sure we have a safe place to live. My husband and I both work and had relied on my mother as a last minute child care option in the past. Many of you are either parents yourselves of young children or children of aging parents. As the baby-boomers like my mother age, so does her parents and as of this year, I may no longer rely on my mother for child care. She has been working full-time and now goes every evening to care for my grandfather who is 90 years old. He is in a nursing home, but even the care they provide can lack that intimate and personal touch a relationship of only a family member can have. FAMILY CARE is larger than just child care. It is providing a safe place for anyone be it children, seniors, or the special needs community and other vulnerable populations.

Many of our parents do not have other family members to care for their children. Often times, many are single mothers or fathers. They rely on PATCH to furnish the list of trustworthy family child care providers to give them piece of mind that their child is in the hands of someone who now becomes part of their family.

Statewide, we have been struggling to increase the child care provider database. We need more high-quality providers in this state – NOW MORE THAN EVER! This is because the Department of Education has now changed the Kindergarten age. Preschools are trying to accommodate the younger five year olds and it is snowballing down to the younger ages making it extremely difficult to place younger threes to infants in a child care setting. Family child care providers can only be allowed to take 2 children under the age of 18 months and some providers run their childcare with preschool ages only. This poses the threat to safety of our infants and toddlers more than it has ever before. Other state departments and grants/contracts within them will also be affected as well. For example, the Department of Health’s maternal and child health branch will be affected because this can cause an impact with regards to child abuse and prevention programs. Parents who find it difficult to place their children in the already limited licensed family child care homes seek underground care from family, friends, and neighbors. These “caregivers” lack proper training such as CPR and first aid, as well as not understanding how children develop or what they need to learn to be successful in the future.

We need safe places for our children. This bill can impact hundreds if not thousands of family child care spaces in our state. YOUR bill HB2560, if passed can also help at a county level, as counties often look to the state for guidance in interpreting rules and regulations set forth.

**YOU CAN MAKE AN IMPACT IN HISTORY TODAY! Don’t let the law writers of yesterday dictate the POSITIVE IMPACT ON OUR FUTURE – YOUR FUTURE AND YOUR CHILDREN’S FUTURE!**

You can also find more statistical information here:

[http://www.naccrra.org/sites/default/files/default\\_site\\_pages/2013/hawaii\\_2013\\_state\\_fact\\_sheet.pdf](http://www.naccrra.org/sites/default/files/default_site_pages/2013/hawaii_2013_state_fact_sheet.pdf) (see attached)

**Finally, I respectfully request that the following amendments be made to HB2560 HD2:**

- 1) Strike the phrase “that was constructed prior to July 1, 2014” found on page 1, lines 14 & 15 of HD 2.
- 2) Amend the definition of “family child care home” found in section 46-15.35(b) striking the phrase “three to” so that the amended definition reads as follows
  - b) For the purposes of this section, "family child care home" means a private residence, including an apartment, unit, or townhouse, as those terms are defined in section 502C-1, at which care may be provided for no more than six children who are unrelated to the caregiver by blood, marriage, or adoption at any given time.

Sincerely,

*Ailina Laborte*

Testimony in support of House Bill 2560  
Relating to Family Child Care Homes  
COMMITTEE ON HUMAN SERVICES  
Senator Suzanne Chun Oakland, Chair  
Senator Josh Green, Vice Chair

COMMITTEE ON AGRICULTURE  
Senator Clarence K. Nishihara, Chair  
Senator Ronald D. Kouchi, Vice Chair  
Tuesday, March 11, 2014 at 2pm  
Conference Room 016

Aloha Chairman Chun Oakland, Chair Nishihara and members of the Committees:

My name is Anders Friberg and I would like to thank you for considering HB 2560 and for supporting family child care homes in agriculturally designated zones.

I am a parent two little boys; one in preschool and one that currently attends daycare on Maui. The child care home is providing great service to 2 1/2 year old Oliver and to our family. We live on the north shore of Maui and the child care is conveniently located for us only 15 minutes drive towards Haiku. It would be an added hardship to have to drive further just to find daycare in a different real estate zone. It would also be sad to see this particular child care disappear since it is providing great care.

Finally, I respectfully request that the following amendments be made to HB2560 HD2:

- 1) Strike the phrase "that was constructed prior to July 1, 2014" found on page 1, lines 14 & 15 of HD 2.
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Sincerely,

Anders Friberg  
8075 Hana Hwy  
Maui

**Testimony in support of House Bill 2560**

Relating to Family Child Care Homes

COMMITTEE ON HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair

Senator Josh Green, Vice Chair

COMMITTEE ON AGRICULTURE

Senator Clarence K. Nishihara, Chair

Senator Ronald D. Kouchi, Vice Chair

[Tuesday, March 11, 2014 at 2pm](#)

Conference Room 016

Aloha Chairman Chun Oakland, Chair Nishihara and members of the Committees:

I support this bill because I have a daughter and because I appreciate our choice in care. It works for us and would be a shame to lose a such a valuable community resource, in my opinion.

Finally, I respectfully request that the following amendments be made to HB2560 HD2:

- 1) Strike the phrase “that was constructed prior to [July 1](#), 2014” found on page 1, lines 14 & 15 of HD 2.
- 2) Amend the definition of “family child care home” found in section 46-15.35(b) striking the phrase “three to” so that the amended definition reads as follows
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Sincerely,

Benjamin D. Diamond

**HB2560**

Submitted on: 3/10/2014

Testimony for HMS/AGL on Mar 11, 2014 14:00PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Charles Zahn	Individual	Support	No

Comments: Fully support



**Bruce Glen Ph.D. Clinical Psychologist Licensed Hawaii  
Child, Family, Adult Psychotherapy**

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808 572-6556 Fax: 808 573-1189  
Email: [bruceglen@me.com](mailto:bruceglen@me.com)

Saturday March 9th, 2014,

Two (2) pages

Testamony in support of House Bill 2560  
which expands the permitted use in agriculturally designated zones to include Family Child Care Homes  
Relating to Family Child Care Homes

Committee on Human Services  
Senator Suzanne Chun Oakland, Chair  
Senator Josh Green Vice Chair

Committee on Agriculture  
Senator ClarenceK. Nishihara, Chair  
Senator Ronald D. Kouchi, Vice Chair

Tuesday March 11th, @ 2:00 PM

Aloha Chair Chun Oakland, Chair Nishihara and members of the Committees:

My name is Dr. Bruce Glen, a licensed Clinical Psychologist in Hawaii since 1988. Earlier during my internship in the early 80's at Children's Place, Puunene, I worked with young children and their parents for several years. Later, as a psychologist, I have continued working with the presenting problems of children and their parents; many single working mother families. I have now been in practice for a total of just under 30 years.

I write to you with the in-depth & long term experience mentioned above which urges me to express to you the dire need of passing the House Bill 2560. Young families with young children desperately need more Child Care Homes and need them in the country, not in a town setting. Allowing, actually promoting, Child Care Homes on Agricultural lands is a humane and psychologically therapeutic way of giving the gift of stability and the security of nature in a rural setting to these very young members of our community.

I understand that the existence of more than 30% of the current Child Care Homes are in danger of being closed because they cannot pay the high fees being considered or about to be levied. Many of these Child Care Homes are owned and well run by single mothers and to further burden them and close them down would be a singular shame.

Page 2

Finally, I respectfully request that the following amendments be made to HB2560 HD2:

- 1) Strike the phrase "that was constructed prior to July 1, 2014" found on page 1, lines 14 & 15 of HD 2.
- 2) Amend the definition of "family child care home" found in section 46-15.35(b) striking the phrase "three to" so that the amended definition reads as follows
  - a. For the purposes of this section, "family child care home" means a private residence, including an apartment, unit, or townhouse, as those terms are defined in section 502C-1, at which care may be provided for no more than six children who are unrelated to the caregiver by blood, marriage, or adoption at any given time.

Please consider the decidedly beneficial effects of allowing these Child Care Homes to remain open by passing # 2560 and easing the stress of all concerned.

Sincerely,

Dr. Bruce Glen Ph.D. ; Clinical Psychologist - Licensed Hawaii

## **Testimony in support of House Bill 2560**

Relating to Family Child Care Homes

### COMMITTEE ON HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair

Senator Josh Green, Vice Chair

### COMMITTEE ON AGRICULTURE

Senator Clarence K. Nishihara, Chair

Senator Ronald D. Kouchi, Vice Chair

Tuesday, March 11, 2014 at 2pm

Conference Room 016

Aloha Chairman Chun Oakland, Chair Nishihara and members of the Committees,

Recently, it has come to my attention that the County of Maui is trying to shut down family child care homes operating on land that is considered/or zoned as Agricultural. I, along with many others, are appalled with this information. By taking an action such as what is being proposed, you will be putting many families' welfare at risk. By welfare, I mean the family's withstanding in general, not welfare as in aid received by the government

Please consider that by closing the many daycare facilities already operating on agricultural land, you will leave many families without daycare options. Many parents will need to request off or call in to arrange for childcare. Arranging for childcare is a lengthy process in itself. First, parents will need to seek resources to find suitable childcare options in their area(s) of preference. Second, parents may need to re-apply for childcare tuition assistance if the lapse in care is too far apart. While reapplying for childcare assistance, you should also note that the portion of assistance may change depending on the type of daycare chosen. Another note should be that there may not be availability in the preferred daycare. Parents will have different ideas on where best to place their child for care, based on their own morals and values. Third, children will need to adapt once again to a new caregiver and environment.

This will cause anxiety in children as well as parents. At the end of this very lengthy and time consuming process, if the parent(s) are not comfortable with their options, they may choose to quit their job or drop out of school to stay home with the child(ren).

While this is not the most detrimental possibility, it is one that may have financial repercussions for a family in general. A single parent may have no choice but to apply for welfare assistance from the government because their daycare options are not suitable or there may not be any available options near them. Parents attending college are likely doing so in hopes of a better future for their family. This hope will obviously need to be delayed or given up until suitable childcare options are available for the parent. For those parents attending college, like myself, the outcome of having to drop out in the middle of a semester or after the refund eligibility period ends, will be consequential. Students are not eligible for a refund if the drop out of school or a class by the given date has passed. This will mean that parents who may be forced to drop out will need to take a loss on their college tuition.

Having to deal with a forced close down of our chosen daycare facility will put a lot of stress on families already enrolled as well as possibly cause financial hardship for the providers of these facilities. It will certainly cause stress and anxiety for my family. I was a stay at home mom for our youngest, now almost three years old, for the first two years. When I finally decided to go to college and seek out day care, I went through a lot of emotions. First and foremost, I wanted to feel assured that my daughter would be in a good environment with a provider that would interact with her, allow play time, teach and be more than anything, extremely caring. My experience with my older children was not a good one and I was extremely fearful of putting my baby in a family daycare setting where the provider might sit her in front of the television all day or treat her terribly. I spoke to Rochelle, my current daycare provider, a year ago and was almost certain, by phone conversation alone, that she would be a perfect fit for our family. I was very blessed that when I finally decided to enroll in college, Rochelle had an opening. Rochelle has had her daycare for nearly twenty years. She was a teacher before then for over ten years. Her philosophy of caring for our children as Jesus would and preparing them for preschool is very rare to find and perfect for us. I felt comfortable after I did a site visit and saw how wonderful she was with the children she already cared for. I chose to transition my daughter so that I could see how well she would take to the daycare setting and Rochelle. I was completely at ease after the first week of transition. We can see how much our daughter is learning by her behavior, the things she says and shares with us, the crafts she brings home and her reaction to Rochelle.

The idea and thought of having to find another daycare for our daughter is very scary. I am far from a parent that will put my child in any daycare with an opening. My husband and I have many standards to assure us of her safety and well-being while she is in someone else's care.

In all honesty, an agricultural land area is the best place to have a family child care. It gives children a lot of open space to play and explore, is usually far from dangers such as heavy traffic and speeding cars, will likely have animals in the neighborhood that the children can say "Hi" to and identify. I am in strong support of HB 2560 because it expands the permitted uses in agriculturally designated zones to include family child care homes. The county of Maui should consider HB 2560 so that they are not adversely affecting so many people.

Finally, I respectfully request that the following amendments be made to HB2560 HD2:

- 1) Strike the phrase “that was constructed prior to July 1, 2014” found on page 1, lines 14 & 15 of HD 2.
- 2) Amend the definition of “family child care home” found in section 46-15.35(b) striking the phrase “three to” so that the amended definition reads as follows
  - b) For the purposes of this section, "family child care home" means a private residence, including an apartment, unit, or townhouse, as those terms are defined in section 502C-1, at which care may be provided for no more than six children who are unrelated to the caregiver by blood, marriage, or adoption at any given time.

I truly hope that the County of Maui considers its people and how an action such as this will greatly affect them before deciding on closing these family child care homes. Thank you for the opportunity to testify before your committee. Please feel free to contact me at the information listed below should you have any questions, comments or requests.

Sincerely,

Eve Balthazar  
2780 Kaupakalua Road  
Haiku, HI 96708  
808-276-3684

[COMMITTEE ON HUMAN SERVICES](#)

Senator Suzanne Chun Oakland, Chair  
Senator Josh Green, Vice Chair

[COMMITTEE ON AGRICULTURE](#)

Senator Clarence K. Nishihara, Chair  
Senator Ronald D. Kouchi, Vice Chair

Genevieve Parks, PO Box 951, Kurtistown, HI 96760  
808-938-8352

Tuesday, March 11, 2014

Support for H.B. 2560, H.D. 1, Relating to Family Child Care Homes

I am writing in support of the intent of this bill that permits family child care homes to operate in agriculturally designated districts using existing farm dwellings without the need for conditional use permits, variance, or special exception, to address meeting the child care needs of the community.

Access to child care is essential to building strong, stable families. As both parents often work one or several jobs just to make ends meet, child care that is accessible is an invaluable resource that supports our families. By reducing the stress our working families experience, we are and strengthening our communities.

Thank you for your time and attention.

## **Testimony in support of House Bill 2560**

Relating to Family Child Care Homes

COMMITTEE ON HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair

Senator Josh Green, Vice Chair

COMMITTEE ON AGRICULTURE

Senator Clarence K. Nishihara, Chair

Senator Ronald D. Kouchi, Vice Chair

Tuesday, March 11, 2014 at 2pm

Conference Room 016

Aloha Chair Chun Oakland, Chair Nishihara and members of the Committees

My name is Ian Chan Hodges and I am testifying in support of HB 2560 because it seeks to expand the permitted uses in agriculturally designated zones to include family child care in the residences of the providers. In Hawaii's rural, agricultural communities, particularly on the neighbor islands, family child care providers offer an invaluable service to working families—providing quality care and early learning to young children in our rural, agricultural communities and enabling parents to work. This is of particular importance to families who are involved in farming and ranching, whether on a full-time or part-time basis.

In fact, the availability of quality, home-based family child care in Hawaii's rural, agricultural communities is critical to perpetuating our agricultural heritage in a manner that increases food security — putting local food on local plates — as well as providing early learning that helps to ensure that the next generation is willing and able to take responsibility in the future for our local farms and ranches.

I would like to respectfully request that the following changes be made to the current language found in HD1:

- 1) Remove the restriction that family child care is only permitted in farm dwellings constructed prior to July 1, 2014. If it is good policy to allow for family child care in agriculturally zoned communities, which I believe it is, there does not seem to be a good

policy reason for not allowing family child care in newly constructed (and properly permitted) farm dwellings within agriculturally designated zones.

2) Amend the definition of “family child care home” found in section 46-15.35(b) striking the phrase “three to” so that the amended definition reads as follows:

b) For the purposes of this section, "family child care home" means a private residence, including an apartment, unit, or townhouse, as those terms are defined in section 502C-1, at which care may be provided for no more than six children who are unrelated to the caregiver by blood, marriage, or adoption at any given time.

While providing family child care to less than three children is usually not financially sustainable, providers sometimes care for less than three children temporarily as children transition in and out of their care.

Thank you for the opportunity to testify.

## **Testimony in support of House Bill 2560**

Relating to Family Child Care Homes

### COMMITTEE ON HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair

Senator Josh Green, Vice Chair

### COMMITTEE ON AGRICULTURE

Senator Clarence K. Nishihara, Chair

Senator Ronald D. Kouchi, Vice Chair

Tuesday, March 11, 2014 at 2pm

Conference Room 016

Aloha Chairman Chun Oakland, Chair Nishihara and members of the Committees:

Thank you for hearing HB 2560 and for the opportunity to testify before your committee.

My name is Kelly Paa. As a family child`care provider who has provided services for families in our rural community for 12 years, I am a strong support of HB2560 because it expands the permitted uses in agriculturally designated zones to include family child care homes.

Having a home on an AG zone is a BLESSING. We have a lot of open space, farm animals (horses, cows, chickens, roosters) everywhere you turn and is a quiet and safe environment. The children enjoy running in the yard, walking up to the pastures fence line and petting the horses and goats. A lot of families do not have that opportunity to see or pet horses and goats. If we do not get HB 2560 passed I will no longer be able to keep my day care doors open. My day care parents will have to send there child to another facility where they may not be exposed to farm animals or they may have to decrease there hours of work to take care of their child, which is an inconvenience for them and will hurt there pocket book.

I watch children from the ages of 10 months to 4 years of age. At this crucial age children are sponges, and I teach everything through play. MY JOB IS TO GET THE CHILDREN READY FOR THE NEXT BIG STEP IN THERE LIVES.....PRESCHOOL. Introducing them and exposing them to the animals helps them to want to absorb information easier. We count the horses, talk about there color and talk about how big they are. We use the goats to show how caring we should be to others as the mother goat is towards her kid. I even use the chicken poop to teach them about dirty things and how its not okay to do things that may make a mess where others play. They all are learning through interacting with the animals and through play and the children don't realize it. That is what is so beautiful about living on an AG zone. Day care providers who are from a non AG zone don't have the pleasure of giving their day care children this experience. They show them counting horses through books, which is fine, but is so much cooler to have the real thing in front of you.



Over the past 12 years I have been a provider for 58 families. I have been a provider for 63 children. It makes me smile and it tugs at my heart knowing I helped those families and children in my home.

Seeing the children smile, laugh and learn and hearing from parents that their son/daughter love coming to my home makes me know that I'm doing the right thing by providing for these children.

Having the possibility of closing due to my daycare being in an AG zone is disheartening and its also a bit scary. My husband and I provide for our family and the possibility of my income gone upsets me because now I will put the burden on my husband. Thats not fair to him. I HAVE A JOB THAT I LOVE and is fun to do and I hope that you will pass HB 2560 so you will not put me out of job and you will not deny the children that I have now and the children that I may have in the future from learning and observing from my home which is in an AG zone.

Please pass HB 2560 to help all providers, parents, and children.

Thank you,  
Kelly Paa

DayCare Provider.  
PlayMate.  
Referee.  
Nurse.  
Teacher.  
Friend.  
PottyTrainer.  
LunchLady.  
Shoulder To Cry On.

ALOHA,

HB2560 HD2 will amend the title and section (a) of the Hawaii revised statute, “§46-15.35: Family child care homes; permitted use in residential” to permit family child care homes in agriculturally designated districts as well, if located in a farm dwelling constructed prior to July 1, 2014. No conditional use permit, variance, or special exception shall be required for residences used as family child care homes.

I’ve been in Hawaii for almost four years now, and it doesn’t take me that long to realize how Hawaii is developing rapidly. With all the rural areas turning into cities, natural resources are depleting, and native animals making its way to the extinct animal list. Being a mother of one child, and yet expecting another, the best setting to raise my kids is in a natural environment with less cars and more fresh air. It is a great idea to include agricultural sites since the current law in Hawaii had only permitted family child care in residential areas. This bill will expand the use of family child care homes to include agriculturally zoned lands, which is the best thing a working mother can ask for. Not only children will get to experience a peaceful and natural setting of Hawaii, it is also convenient for working parents whose house is right next to a family child care home.

Thank you for this opportunity to express my opinion in this matter.

Mahalo,

Krystle Livae

## **Testimony in support of House Bill 2560**

Relating to Family Child Care Homes

COMMITTEE ON HUMAN SERVICES  
Senator Suzanne Chun Oakland, Chair  
Senator Josh Green, Vice Chair

COMMITTEE ON AGRICULTURE  
Senator Clarence K. Nishihara, Chair  
Senator Ronald D. Kouchi, Vice Chair

Tuesday, March 11, 2014 at 2pm

Conference Room 016

Aloha Chairman Chun Oakland, Chair Nishihara and members of the Committees:

I am writing to you in support of House Bill 2560. This is the first letter I have written to my elective officials and feel the need to speak out on something that will not only affect myself and family but also the community in which I live in for a variety of reasons. I feel that this Bill is something that needs to be addressed, discussed and deliberate about because it's outcome will impact us all as a community.

Please allow me to give a brief overview of my family childcare. I have been state licensed for almost 11 years. I started with my first child in care and have continued care in my house through all my children growing up with my youngest still in care. Over the years I have helped serve over 30 families. I do this because there is a need and I enjoy my job. I could easily use my degree and get paid much better somewhere but for now I am happy to watch children in my house. I am a proud small business owner and take pride in what I do. I have taken classes with PATCH, and later also became employed with them and taught over 250 hours to others who also wished to open a Family Child Care while at the same time also running my own child care. After my fourth child I took a break from teaching and in 2012 I won Patch Hawaii's 2012 Provider of the Year award which was a state wide search. While I work with children; their parents are busy being teacher (over 4 public school teachers currently, 9 more in the past), real estate agents, solar electricians, students, ER nurses, computer consultants, airline stewardess, chefs, vet assistants, county workers, NASA consultants, air traffic controller, mid wives, and several small business owners. I feel I serve a need not easily able to find in the upcountry area of Maui because most of my families use me part-time which is very hard to find space with a group preschool. Also location wise I am over 20 minutes away to the nearest preschool located in a more

urban area. These parents are families looking to put their children in to a small setting with no more than six children and a more personalized feel to it.

I offer care in Haiku, Maui on Agricultural zoned land and have a lot to offer because of it. My playground is very large to let the children explore nature in. On our daily nature walks we learn more than you might think. We have butterfly bushes, chickens and ponds enabling us to study life cycles in person, first hand. I mention this because one of my clients is a public school teacher who teaches the fifth grade and was so happy that her son was able to experience this while in my care -while in her class of 25 children only 5 of them knew what caterpillars turned into. This is something all my three year olds in care not only know but have witnessed firsthand monthly and it never gets old. We eat fresh fruit daily. Yes, every day I am able to fill their growing bodies with freshly picked oranges, tangerines, starfruit, guavas, lilikois, avocados, papayas and more. I have the space to provide a large garden where weekly for lunch we can pick tomatoes, cucumbers, eggplants, beans, lettuce, pumpkins, watermelons, carrots and zucchini. We are able to watch worms in the dirt, plant vegetables from seeds and water a garden much larger because I am on Ag land. I find it hard to imagine that with the farmers and fresh local push in today's economy that you would want to deny young children their first farm experience and not want them to be open to it as a future possibility. I only operate 4 days a week and from 8am-3pm keep shorter hours than most farmers themselves- although I also feel the need to inform you that in my neighbor hood of over 14 properties we are the only family who actively farm the land in the way it was intended. The only property in our whole subdivision farming produce, plants and palms, along with cows, horses and chickens. It is an ideal place to have children learn about nature, compassion and farming skills.

I am currently considering closing my care and asking for your help to please consider HB 2560. To get a special land use permit is beyond my means while supporting my family. I began my small business in good faith with the state and county, operating with your knowledge, permits and even being paid with both County and State and Federal subsidies for providing care to children in my home. I know that early childhood education is a priority for everyone so please continue to make it so. If all providers who now require this permit close or operate illegally it will not only be putting a hardship on the providers but also families and their employers.

At this time I would also like to respectfully request that the following amendments be made to HB2560 HD2:

- 1) Strike the phrase "that was constructed prior to July 1, 2014" found on page 1, lines 14 & 15 of HD 2.
- 2) Amend the definition of "family child care home" found in section 46-15.35(b) striking the phrase "three to" so that the amended definition reads as follows
  - b) For the purposes of this section, "family child care home" means a private residence, including an apartment, unit, or townhouse, as those terms are defined in section 502C-

1, at which care may be provided for no more than six children who are unrelated to the caregiver by blood, marriage, or adoption at any given time.

I urge you to support this measure and consider the impact it will have on our community and future. I thank you for your consideration to support this bill and allow a new generation of contributing members of our society learn and grow in a farm setting learning far more than we can even imagine.

Thank you for your time-

Maile Davis

4483 Opana Place

Haiku Hi 96708

808-572-4734

## **Testimony in support of House Bill 2560**

Relating to Family Child Care Homes  
COMMITTEE ON HUMAN SERVICES  
Senator Suzanne Chun Oakland, Chair  
Senator Josh Green, Vice Chair

COMMITTEE ON AGRICULTURE  
Senator Clarence K. Nishihara, Chair  
Senator Ronald D. Kouchi, Vice Chair  
Tuesday, March 11, 2014 at 2pm  
Conference Room 016

Aloha Chairman Chun Oakland, Chair Nishihara and members of the Committees:

My name is Masha Delfinden and I'm writing to voice my strong support for the HB2560 because it expands the permitted use in agriculturally designated zones to include family child care homes.

As a parent to a little girl who goes to a family child care home located on agricultural land this issue is very important to our family.

We love the fact that our daughter gets to spend her days in close proximity to animals, close to the land. It teaches her a lot about the land.

We live in the countryside, so most of the daycare homes in our area are located on agriculturally designated lands and if those daycare homes would have to shut down (and some already have due to their inability to pay the permitting fees and taxes)

this would increase the already palpable shortage of daycare homes in our area. As is, two of my friends are waiting for an opening at a daycare for over 3 months.

Then our only option would be to spend an hour a day just to bring our daughter to an urban daycare center and back again.

That is a tremendous waste of time and gas money, amongst other things.

Parents need to work and we want to have community based, small, child-oriented options we can trust to leave our children with while we take care of what needs to be done.

It also is expensive to have your child in a private care home, and those providers who could afford to pay the fees would have to increase the monthly tuition (because they hardly make any extra money to begin with) and that would make daycare unaffordable to many of us.

So please show you support for our community, its parents, children and childcare providers by supporting HB2560.

Finally, I respectfully request that the following amendments be made to HB2560 HD2:

1) Strike the phrase "that was constructed prior to July 1, 2014" found on page 1, lines 14 & 15 of HD 2.

2) Amend the definition of “family child care home” found in section 46-15.35(b) striking the phrase “three to” so that the amended definition reads as follows

b) For the purposes of this section, "family child care home" means a private residence, including an apartment, unit, or townhouse, as those terms are defined in section 502C-1, at which care may be provided for no more than six children who are unrelated to the caregiver by blood, marriage, or adoption at any given time.

Sincerely,

Thank you for your time

Masha Delfinden

Testimony in support of House Bill 2560

Aloha,

My name is Moana Wietecha. I grew up in Haiku, Maui. Haiku is a very densely populated AG zoned area in which many local middle-class families reside. Haiku is a beautiful country side of Maui filled with charm and old Hawai'i ways. Many residents farm, grow and raise their own food. It's a place where self sustainability is more often practiced than anywhere else in Maui county. The youth in this area are constantly exposed to gardens, farm animals and natural resources. They witness the efforts of farmers, homesteaders and yard workers on a daily basis. Many of my friends as well as family members rely on daycares in this area while they are at work. Most daycares in this area have excellent reviews. AG lands offer space, beauty and safety to insure a healthy and proper daycare set-up. Because of Haiku's isolation from the rustle and bustle of our more populated towns of Wailuku and Kahului finding reliable daycare is a constant challenge. Restricting this service on AG lands would cutoff many of our counties most prized daycares. It would not only add more of a burden on parents, but on daycare providers alike. I urge you to please consider this as many families will be affected by this decision in a negative way.

Aloha and Mahalo,

Moana



On the following Measure: Department of Human Services  
Ag Land Child Care  
HB 2560

Before the: Committee on Human Services  
Date: Tuesday, March 11, 2014 2:00 pm.  
Location: State Capitol,

Testifier: Noreen Dougherty  
Strongly in Favor

I, Noreen Dougherty, have been an educator in the State of Hawaii for approximately forty years in elementary school, high school, Chaminade University, and preschool. I have operated a State Licensed Day Care Facility on Ag land for a total of twelve years. As an Early Childhood Development and Curriculum Development Specialist, I strongly ask you to support HB 2560, allowing childcare on Ag Land. It is absolutely necessary for parents to have a variety of choices for children. We need to expand options for parents rather than limit alternative choices.

Forcing parents to find other options for childcare will cause many families to have to enroll their children in larger preschools located in commercial zones. It has been well researched and established that children under the age of 6 are most benefited by being immersed in nature as much as possible. Here at Montessori Hale, we have a stream, forest, gardens, fruit trees, etc. The trend in preschool education is actually moving in the opposite direction from indoor preschools with playgrounds. What is being encouraged is what has been known for many decades as 'Forest Kindergarten'. There are also programs that are encouraging all schools to have gardens and teach the children sustainability.

Our social and family network is not strong right now and the children need to connect to the ORDER that is found in NATURE.. Many families have children that are autistic or have other learning disabilities. These children often need to be in small group settings. Please keep in mind that the age of the children that are affected by this bill are very young and a small farmhouse setting is a fabulous start to separation from parents and introduction to a learning environment. Having several small preschool options scattered about the community and not all on the main highway, allows many families to have their children in a preschool very close to their homes.

As a licensed Educational Kinesiologist, I have been studying the neurological benefits of various learning environments and since the trend and expectation of the percentage of children being born autistic is expected to be one out of every 2 births, I ask you to please not worsen situations by shutting down childcare options on agricultural land.

I strongly urge you to support HB 2560..

Sincerely,  
Noreen Dougherty

Testimony in support of House Bill 2560

Aloha,

My name is Rebecca Bell and I run a licensed family child care program in Haiku HI. I have been licensed for 6 years now. I moved here from Oregon 11 years ago where I used to teach pre school and supervised an infant toddler program, and was head director for the afterschool program at our local elementary school as well as the site camp director for the summer camp at Wayne Morse Ranch, all which is ran through the City of Eugene.

I worked at Children of the Rainbow in Lahaina as a teachers assistant for a couple years and then went on maternity leave to have my baby girl Maiya. Well when Maiya was a baby she was diagnosed with stage four neuroblastoma cancer and I was forced to move to Oahu and basically live at either Kaiser or Kapiolani during her 8 courses of chemo and surgeries. I so wanted to come home to Maui but the doctors told us Maui is just not equipped to take care of kids with cancer so Oahu was our temporary home. (Thank goodness for Hanai family) Well she beat the cancer like I knew she would but the mama inside of me didnt want to leave her but I knew I needed to provide for my family as I have 2 other daughters as well. So I thought I have this space what a great place to have a little daycare/pre-school and use all my education and experience with young children and at the same time help families here that need daycare and keep my little one close to me incase symptoms arose that no one else would see but me. So I told Maiya, You know how mama used to teach pre-school, and she said ya mama why and I said to her, I think I am going to start a pre-school/daycare program here from our home to help all the mama's and daddies here and I was just hoping that you could help give it a name? and at 3 years old she puts her finger on her little chin in a thought process and says hmmm I think it should be called Little Miracles Mama! I about cried right there on the spot as that is what I have always told her from her first chemo treatment at 6 months old. "You can do this baby girl! You are my little miracle! It floored me when she said it and it made sense as well. So I opened my daycare doors after complying with all of DHS laws. Now I have been in business for 6 years now and I cant imagine doing anything else. I am a single parent raising 3 daughters. I am also a second parent to many families who rely on me to care for their child as if they were my own and I dont take that task lightly. I love all my babies and when a child enrolls here , I usually get them at a very young age and they stay with Auntie Rebecca until they go off to kindergarten. From all my years of experience, parents feel safe and secure with their little ones being taken care of in a family child care setting, especially when they are so little. Its almost like they are going to there second home in a sense. To shut down upcountry daycares just because we are on ag land makes no sense to me. What better place whould you want your babies to be while you are at work but in the country, running around, getting dirty, planting gardens, learning to cook, making lifelong friends, and having an auntie who is like your second mama and treats you as such. My babies here may not be MY babies, but they always will be in my heart! This is what you get from a home based child care provider. So much love, compassion, and the love of what we are blessed to have around us everyday, THE CHILDREN!

Sincerely,

Rebecca Bell

**Testimony in support of House Bill 2560  
Relating to Family Child Care Homes**

COMMITTEE ON HUMAN SERVICES  
Senator Suzanne Chun Oakland, Chair  
Senator Josh Green, Vice Chair

COMMITTEE ON AGRICULTURE  
Senator Clarence K. Nishihara, Chair  
Senator Ronald D. Kouchi, Vice Chair  
Tuesday, March 11, 2014 at 2pm  
Conference Room 016

March 10, 2014

Aloha Chair Chun Oakland, Chair Nishihara, and members of the Committees:

My name is Shay Chan Hodges and I have been a Maui resident for twenty-two years, with the majority of that time spent Upcountry and on the North Shore. I have two sons who currently attend King Kekaulike High School, both of whom have been served by a variety of educational, day care, and recreational programs in this community.

For the majority of my years as a working mother in Hawaii, I have written grants for nonprofits in the human services arena. I also owned and operated **Maui Child Toys and Books** for six years in Makawao Town, and last November, published an ebook about the economic aspects of work and parenting called *Lean On and Lead, Mothering and Work in the 21<sup>st</sup> Century Economy*.

I recently had the opportunity to meet with child care providers in the Haiku, Makawao, and Pukalani areas to learn more about the issues that impact their ability to provide care for the children of Maui residents. While there are a number of issues that create challenges for those who provide family child care in their homes, the issue that is currently the most pressing for the majority of providers is the requirement of a special use permit for those on agricultural land.

Most of the providers I spoke with who are on agricultural land do not have the funds, time, or expertise required to obtain the special use permit needed to continue to provide child care services. **(The initial fee for starting an application is \$550**, with additional costs adding up almost immediately.) In fact, more than one provider has chosen to close rather than lose her license; others are in fear of what the future holds as they do not see how they will be able to complete the permitting process; and I know of at least one who would like to move but cannot -- because almost all of the land in our community is zoned agricultural. Some providers may actually risk losing their homes because they built or chose their homes based on their professional needs.

This situation is particularly upsetting because many parents prefer the family-style atmosphere of child care in a private home; most providers are highly qualified and many have been providing services from their agricultural location for as many as twenty years; parents in our community prefer the wide open country-feeling spaces of agricultural land; and there are currently not enough care options available for the families on Maui.

From my own personal experience, my work with families, and my recent research on families and the economy, I know that laws like this can have a far-reaching domino effect on our communities. The unintended consequences of policies that discourage qualified individuals from offering care to Maui's working families are numerous. In addition to reducing work opportunities for child care providers (in a still difficult economy) and creating barriers for parents to work and provide for their families, reduced child care options means that our community also loses out on the intellectual "working" capital of our residents.

Child care providers represent a very important component of our early learning infrastructure, and have a profound impact on the success of our island community. Just one provider may serve as many as a dozen families. (Although providers are limited to caring for six children at a time, many children attend daycare part-time.) Considering that both parents work in most families, that means the loss of one provider can impact the ability of a few dozen individuals to work. Those individuals are teachers, firefighters, police officers, legislators, workers in the retail and visitor industries, doctors, nurses, employees of the renewable energy sectors, and of course farmers and agricultural workers of all kinds.

In my ebook, *Lean On and Lead*, I present a variety of first person narratives and interactive data that describe what parents need to significantly participate in the economy while raising children. Individuals interviewed include working women, mothers, and fathers from around the world who represent a broad variety of occupations, as well as some Hawaii residents: Lieutenant Governor Shan Tsutsui, Congresswoman Colleen Hanabusa, Senator Brian Schatz, Senator Jill Tokuda, and Maui District 2010 Teacher of the Year Emily Haines-Swatek.

The stories told in the interviews make it very clear how important the support of working parents is to our economy. Further, they describe in detail the vital role child care plays when it comes to parents' work options – regardless of income or profession.

Please note also, that in our agricultural communities, family-based child care is not only often the preferred form of care due to the fact that it aligns with many rural families' values and lifestyles, it is one of the primary forms of care available on the neighbor islands. In the agricultural area of Kula, there are only two child care centers– Fun 2, 3 and Kamehameha Schools Preschool. In Makawao, there is only St. Joseph Preschool, and in Haiku, there is only ROOTS preschool. These centers do not have enough space to meet the needs of our families. If family child care providers are forced to close, families who live in agricultural communities will have to travel outside of their communities to find care. Many of these individuals do not work "in town." Having to commute for child care will increase the amount of care that they need due to travel time, as well as impact the amount of quality time that they will be able to spend with their children.

Ironically, we need more family-based child care providers in our communities than we currently have – not less. Starting in August, when the minimum age for kindergarteners increases, the need for providers will be even higher. I spoke with a kindergarten teacher at Kula School recently who informed me that there will be approximately twenty-five additional children in that community who need child care, and if their parents are not able to find care, not only will the parents' work opportunities be affected, their children's access to early education will also be impacted, and those children will not be prepared for kindergarten once they are old enough.

When it comes to preparing our children for the future, if we want to preserve our rural and agricultural way of life, the best form of care will clearly be in an agricultural setting. Providing an environment that teaches children to respect and understand nature, giving even the youngest members of our community opportunities to be responsible for other living things, and fostering love for what is unique about our islands from the start will provide enormous benefits to all of us in the future.

Thank you for considering my views on this issue. I also respectfully request that the following amendments be made to HB2560 HD2:

**1) Strike the phrase “that was constructed prior to July 1, 2014” found on page 1, lines 14 & 15 of HD 2.**

**2) Amend the definition of “family child care home” found in section 46-15.35(b) striking the phrase “three to” so that the amended definition reads as follows:**

**b) For the purposes of this section, "family child care home" means a private residence, including an apartment, unit, or townhouse, as those terms are defined in section 502C-1, at which care may be provided for no more than six children who are unrelated to the caregiver by blood, marriage, or adoption at any given time.**

I had the opportunity to meet with some providers last month, and one of them had provided care for one of my sons fifteen years ago. I would guess that in the last fifteen years, she has helped raise close to a hundred children, and provided invaluable support to that many families. It is time for us to return the favor.

In our efforts to support healthy communities, children who are loved and well-cared for, and a strong economy, we should be working to pass legislation that provides every possible support to family child care providers -- not creating financial and other barriers to their success.

**I strongly urge you to expand the permitted uses in agriculturally designated zones to include family child care homes.**

Mahalo,  
Shay Chan Hodges  
Maui, Hawaii

## **Testimony in support of House Bill 2560**

Relating to Family Child Care Homes

COMMITTEE ON HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair

Senator Josh Green, Vice Chair

COMMITTEE ON AGRICULTURE

Senator Clarence K. Nishihara, Chair

Senator Ronald D. Kouchi, Vice Chair

Tuesday, March 11, 2014 at 2pm

Conference Room 016

Aloha Chairman Chun Oakland, Chair Nishihara and members of the Committees:

*I support HB 2560 because family child care providers are an important part of our community and **they need to be recognized as a permitted use on ag. land.** Without child care close to home, some of us would not be able to work outside of the home. I feel very comforted knowing that my child is safe in a loving home environment.*

*Raising children around farms and animals and teaching them to respect an agricultural lifestyle perpetuates our rural lifestyle, cultural traditions, and helps support future generations of farmers and ranchers.*

*We live in a rural community; ensuring that we have childcare options in our community supports us as workers and parents.*

Finally, I respectfully request that the following amendments be made to HB2560 HD2:

- 1) Strike the phrase "that was constructed prior to July 1, 2014" found on page 1, lines 14 & 15 of HD 2.
- 2) Amend the definition of "family child care home" found in section 46-15.35(b) striking the phrase "three to" so that the amended definition reads as follows
  - b) For the purposes of this section, "family child care home" means a private residence, including an apartment, unit, or townhouse, as those terms are defined in section 502C-1, at which care may be provided for no more than six children who are unrelated to the caregiver by blood, marriage, or adoption at any given time.

Sincerely,

Theresa Thompson, Maui

## **Testimony in support of House Bill 2560**

Relating to Family Child Care Homes  
COMMITTEE ON HUMAN SERVICES  
Senator Suzanne Chun Oakland, Chair  
Senator Josh Green, Vice Chair

COMMITTEE ON AGRICULTURE  
Senator Clarence K. Nishihara, Chair  
Senator Ronald D. Kouchi, Vice Chair  
Tuesday, March 11, 2014 at 2pm  
Conference Room 016

Aloha Chairman Chun Oakland, Chair Nishihara and members of the Committees:

My name is Winifred Cambra. I have provided services for families in our rural community as a family childcare provider for fourteen years. I am also a parent, former Preschool teacher and my family have done ranching in the past as a second income. I am in strong support of HB 2560 because it expands the permitted uses in agriculturally designated zones to include family child care homes. Presently I provide care for eight families. As a licensed childcare provider I can only provide services to six children daily. This does not have any major impact with traffic, noise, etc. in my rural community. Being able to do childcare on our Ag zoned property has allowed me to stay home to care for my two special needs children when needed. It has also provided an opportunity for children in my care to experience rural living. I strongly believe the children in my care are the lucky ones. They get to physically interact and visually see a different way of living from what they're accustomed to and at the same time they learn to respect an agricultural lifestyle. Children in my care are presented with opportunities to experience goats being pregnant, and having two and three kids at once, seeing them being nursed, feeding a goat with a bottle, seeing a horse being led by a ATV, hearing roosters crow, cows moo throughout the day, they learn not to be afraid of livestock, how to garden etc. What a blessing it would be for parents to continue to have the option to send their child daily to a childcare provider who lives in a rural community having the quiet open spaces with no traffic and few housing.

We providers living on Ag zoned areas provide an invaluable service to working families- providing quality care and early learning to children in our local communities. It will be very devastating for Family childcare homes, and working parents if House Bill 2560 don't get passed. Our services allows parents which includes farmers and ranchers to work which impacts the economy. Parents need options of care that are in their communities. Without these options they will have to deal with various issues related to extra time in childcare and driving. Where will all these children go if we providers do not continue to offer childcare. Presently there are families that cannot or have a difficult time in finding childcare. If we stop our services our clients will have a difficult time in finding Family childcare homes with openings to accommodate their children. The permitting process is

costly and time-consuming, and a number of providers have already had to shut their doors. If the law is not changed, many more providers will likely close, and many would-be child care providers will be discouraged from attempting to begin offering their services to the community.

We live in a rural community; ensuring that we have child care options in our community supports us as workers and parents. I ask that you support HB 2560.

Finally, I respectfully request that the following amendments be made to HB2560 HD2:

- 1) Strike the phrase "that was constructed prior to July 1, 2014" found on page 1, lines 14 & 15 of HD 2.
- 2) Amend the definition of "family child care home" found in section 46-15.35(b) striking the phrase "three to" so that the amended definition reads as follows
  - b) For the purposes of this section, "family child care home" means a private residence, including an apartment, unit, or townhouse, as those terms are defined in section 502C-1, at which care may be provided for no more than six children who are unrelated to the caregiver by blood, marriage, or adoption at any given time.

Thank you for your support and for making sure family childcare providers have a voice here in Hawaii.

Sincerely,  
Winifred Cambra



## Testimony in support of House Bill 2560

Relating to Family Child Care Homes

### COMMITTEE ON HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair

Senator Josh Green, Vice Chair

### COMMITTEE ON AGRICULTURE

Senator Clarence K. Nishihara, Chair

Senator Ronald D. Kouchi, Vice Chair

Tuesday, March 11, 2014 at 2pm

Conference Room 016

Aloha Chairman Chun Oakland, Chair Nishihara and members of the Committees :

Thank you for hearing HB 2560 and for the opportunity to testify before your committee.

My name is Yuana GARVIN, and I have been a daycare provider since seven years as well as the single mom of two boys, aged 16 and 18, since their dad died, seven year ago. I am writing to encourage you to pass this important bill, HB 2560, and in doing so expand the permitted uses in agriculturally designated zones to include family child care homes.

My interest in education started at the beginning of my adult life. Born and raised in France I was for a few years an Art and History teacher in a professional high school before marrying an American citizen and making Maui my home.

I am a passionate believer in early childhood education as opposed to childhood training. By this I mean that children need to experiment life and not only learn about it. We need children who find their own questions and our job is to provide them with the tools which will enable them to find the answers.

In my home, I receive 5 days a week 6 children aged one to three and a half. I speak French to them and feed them organic meals. There is no TV here. The daycare is the first place for a child to interact with a wider group than his family but at the same time this is a small and intimate enough setting for the child to feel nurtured, loved uniquely.

At that age children discover their whole body and their senses as well as their curiosity are open wide. This is why the choice of an environment is so primordial and what better place than a natural setting where these little ones can observe insects, birds, farm animals, pick their own fruit ? HERE is a deep understanding of life. HERE is the place where they can run and shout and laugh. HERE is the place where they are going to invent a game with some sticks. HERE is the place where they can isolate themselves under a tree just to watch, feel the wind or take a breath. HERE is the place where they learn to share with others, learn to be independent and creative, learn to share but remained protected.

I deeply care about my work and believe that I found on this land its ideal setting. I am also aware that, as a renter, it would be impossible for me to find another place willing to accept this kind of structure. If we are refused the right to work on agricultural lands or if another tax is imposed on us, I

then will have to close.

But then what will happen to these family depending on my services ? All of them work upcountry, teachers, self employed people, will they have to add to their day of work the two hours of trips downtown ? Most of upcountry area is on agricultural zoning.

Another point which I think deserve your attention is the fact that Maui is already short of family daycare providers and the demand for them is going to increase as the age demanded to start kindergarten will need to be five. Few people are tempted by this work. This is a calling as the income is very low and the risks very high. We are alone, have to get insurances, pay excise taxes, we have yearly surprise visits by the DHS who inspect all the areas of our daycare and for those like me who serve meals, three more surprise visits from PATCH. We comply to it all, these control are absolutely necessary and we welcome them but another tax would mean our end.

Finally I respectfully request that the following amendment be made to HB2560 HD2:

- 1) Strike the phrase "that was constructed prior to July 1, 2014" found on page 1, lines 14 & 15 of HD 2.
- 2) Amend the definition of "family child care home" found in section 46-15.35(b) striking the phrase "three to" so that the amended definition reads as follows
  - a. For the purposes of this section, "family child care home" means a private residence, including an apartment, unit, or townhouse, as those terms are defined in section 502C-1, at which care may be provided for no more than six children who are unrelated to the caregiver by blood, marriage, or adoption at any given time.

Thank you for your support and for making sure family child care providers have a voice here in Hawaii.

Sincerely

Yuana GARVIN

Testimony in support of House Bill 2560

Relating to Family Child Care Homes

COMMITTEE ON HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair

Senator Josh Green, Vice Chair

COMMITTEE ON AGRICULTURE

Senator Clarence K. Nishihara, Chair

Senator Ronald D. Kouchi, Vice Chair

Tuesday, March 11, 2014 at 2pm

Conference Room 016

Aloha Chairman Chun Oakland, Chair Nishihara and members of the Committees, my name is Zea Robbins. I own and operate Sunny Days Childcare in Haiku , Maui. In the Haiku Mauka neighborhood which is zoned AG but consists mainly of residential homes. In 2007, while pregnant with my fourth child I decided to open my own childcare out of my home. I saw it as a way to be home for my own children and provide a "home like" situation for other children. I was very successful then and now.I operate still today on referrals alone! In home childcares in my area are like hidden gems that people feel very grateful to discover. The care that we are able to provide with small groups is very beneficial to the growing infants and toddlers and benefits them greatly, building a strong sense of security. I believe this gives children a stronger self esteem and therefore makes learning later easy. I am also able to serve as a community member, having a lasting positive effect on the children in my area. This is very rewarding personally. The income provides for my family and I am able to have my children home from school if I need to. Being a single mom, this is a huge benefit. One of the unique things about having a childcare on an AG lot is the space we have to explore. The children in my care have been able to witness and interact with horses, goats, puppies, jackson chameleons, birds of all kinds and beautiful wild quail. We often take a basket and harvest fruits, kukui nuts and berries. The learning based on our surroundings is endless! It pains me to think of these children and my own not having what they have now if my business had to close down. I have been living in fear for 6 years, thinking that someone could come and shut me down at any time. I was forced to submit the paperwork for a "conditional use" and a "special use" permit when a neighbor was looking for a way to retaliate against me and submitted a complaint. The permits alone cost around \$800.00 This is a huge amount when you live month to month on income. Enough to break someone. The paperwork for the applications was like trying to read and write a foreign language. I scrapped together a pathetic version of what the planning dept. Was actually looking for and finally got a quote to have someone prepare it which came in at \$30 k!!! This was obviously not an option. 6 years has gone by and I am still not through the process. I know many of the other providers in

my area and I know if they had to go through with the permitting process after I've shared with them what it entails they would just shut down. They've already weighed their options. Another option for someone who is desperate would be to continue to operate illegally, without licensing from PATCH and therefore no regulation of child size, safety standards and health documents. In my opinion, allowing a handful of businesses to operate under an "exception" on AG land is a better option than the alternative. I have had countless numbers of people tell me of the great thing that I am providing and how wonderful it is for the children and families. And inevitably if I had to commute to work and become an employee again I would end up on welfare. Simply put, this business is a sustainable way to earn an income, has little or no impact on the land and provides a benefit to the community.

Finally, I respectfully request that the following amendments be made to HB2560 HD2:

- 1) Strike the phrase "that was constructed prior to July 1, 2014" found on page 1, lines 14 & 15 of HD 2.
- 2) Amend the definition of "family child care home" found in section 46-15.35(b) striking the phrase "three to" so that the amended definition reads as follows
  - b) For the purposes of this section, "family child care home" means a private residence, including an apartment, unit, or townhouse, as those terms are defined in section 502C-1, at which care may be provided for no more than six children who are unrelated to the caregiver by blood, marriage, or adoption at any given time.

Sincerely,  
Zea Robbins  
808-281-5802



25 Malunui Ave., Suite 102., PMB 282 • Kailua, HI 96734 • Phone/Fax: (808) 262-0682 E-mail: htf@lava.net

February 25, 2014

COMMITTEE ON HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair  
Senator Josh Green, Vice Chair

COMMITTEE ON AGRICULTURE

Senator Clarence Nishihara, Chair  
Senator Ronald Kouchi, Vice Chair

HB 2560 HD 2  
RELATING TO FAMILY CHILD CARE HOMES

Committee Chairs and Members;

Hawaii's Thousand Friends, a statewide nonprofit organization dedicated to reasonable, responsible and appropriate planning and land use, does not support HB 2560 HD2 that makes family child care homes a permitted use on agricultural designated land.

HB 2560 HD2 appears to be *special legislation* designed to help Maui residents who operate family childcare businesses on agriculturally designated land without a permit.

If Maui residents desire to operate a non-agriculturally related activity on agricultural land then a landowner can follow Hawaii's Land Use Law and apply to the Land Use Commission for a zone change, if the property is greater than 15 acres, or follow the special permit process, which allows county planning commissions to permit "certain unusual and reasonable uses within agricultural and rural districts other than those for which the district is classified. (§205-6)

By establishing childcare facilities as a **permitted use** on agriculturally designated land HB 2560 HD2 bypasses the 15-acre special permit process and any public hearings, county involvement or appeals process.

It is not only inappropriate to allow non-agricultural activities on **all** agriculturally designated land just to satisfy a problem in one county but it goes against the State Constitutional provision to "...conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands." (Article XI Sec 3)

HB 2560 HD2 is bad law, is not necessary and must be held in committee.

Aloha, Senators,

As the chair of Save O'ahu Farmlands Alliance, which has an e-mail membership of more than 4,500, I oppose HB2560 which would allow family child-care homes on agricultural land.

My greatest objection to it is that it clutters up HRS 205 4.5. This is a real concern. I have had the experience of being an intervenor at the Land Use Commission. I have had the experience of quoting 205-4.5 to the Commission members, quoting it in our Findings of Fact, in closing argument, and in court briefs. This exception is an anomaly in that law. When added to that law, it will break the thought as you read through it. It will be clutter that will weaken an argumentation by intervenors or lawyers on any side in the future.

This is a needless bill. It's a Maui issue, not a state issue. It does not belong as part of Land Use Commission law. I ask you to oppose it.

Dr. Kioni Dudley

**HB2560**

Submitted on: 3/10/2014

Testimony for HMS/AGL on Mar 11, 2014 14:00PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dustine Aiu	Individual	Oppose	No

Comments: Please, we already have more than enough non-farming activities allowed on our designated ag lands, and multiple ways at the county level to permit more on a case-by-case basis. There is no reason for state-level legislation on this matter. Keep these land use decisions at the local level.

“I oppose HB 2560. This is an unnecessary weakening of farmland protection law.”

If this bill is passed it will add to the list of **non-ag (farming)** activities already permitted on agriculturally designated land (HRS 205-2) **Eight** of the **15** activities **permitted on ag designated land** are **non-ag (farming)** related

Mahalo,  
Pake

Chaunnel "Pake" Salmon  
Photographer, Videographer, & Online Content Manager  
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[www.MakahaAngels.com](http://www.MakahaAngels.com)  
808-258-7253



**HB2560**

Submitted on: 3/10/2014

Testimony for HMS/AGL on Mar 11, 2014 14:00PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cynthia Frith	Individual	Oppose	No

Comments: Reasons to oppose HB 2560 HD2 1) The bill is not needed because under Hawaii Revised Statute 205-6 the counties already have the ability to issue ' special permits for uses on agricultural land 2) If a land owner wants to use ag designated property for a non-ag (farming) related use then under Hawaii's State Land Use Law HRS 205 a landowner can apply to the Land Use Commission for a change in land use designation, which allows that use 3) The bill is anti-home rule because it takes away the counties ability to decide if or where non-agricultural uses should be per 4) The bill seems to be special legislation introduced to solve an issue on Maui where, from testimony, child-care homes have been operating on agriculturally designated land without a county issued special permit 5) If this bill is passed it will add to the list of non-ag (farming) activities already permitted on agriculturally designated land (HRS 205-2) Eight of the 15 activities permitted on ag designated land are non-ag (farming) related 1. Wind generated energy production for public, private and commercial use 2. Biofuel production for public, private, and commercial use 3. Solar energy facilities 4. Wind machines and wind farms 5. Open area recreational facilities 6. Geothermal resources exploration and geothermal resources development 7. Ag tourism, overnight accommodations 8. Small scale meteorological, air quality, noise, and other scientific and environmental data collection facilities. With ag lands rapidly dwindling, all islands should carefully apply HOME RULE to each requested variance. Mahalo for your consideration.

I oppose HB 2560. This is an unnecessary weakening of farmland protection law.”

Dan Reap  
Kapolei

"I oppose HB 2560. This is a totally unnecessary weakening of farmland protection law."

Thank You.

Dick Poirier  
95-584 Naholoholo St.  
Mililani Town, HI 96789  
(808) 623-2259

To whom it my concern,

I oppose HB 2560. "This is an unnecessary weakening of farmland protection law."

Mahalo,  
Gal Chee

**HB2560**

Submitted on: 3/10/2014

Testimony for HMS/AGL on Mar 11, 2014 14:00PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gil Riviere	Individual	Oppose	No

Comments: Aloha, Senators. This bill looks like special legislation for select individuals. Child Care homes should not get special treatment on ag lands, and even if it were appropriate to create this new use on ag land, why have a grandfathered requirement for when the dwelling is built? Please defer, or defeat, this bill. Thank you. Gil Riviere. Waialua, HI

**HB2560**

Submitted on: 3/10/2014

Testimony for HMS/AGL on Mar 11, 2014 14:00PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeannine Johnson	Individual	Oppose	No

Comments: The bill takes away the counties ability to decide non-agricultural uses and erodes our farmland protection law.

As a grandmother living on Maui, one of the first things I took notice of when I moved to Hawaii, 8 years ago, was the need for young parents to have access to affordable day care in order for their families to grow and thrive.

The need still exceeds the opportunity here on Maui. Many young families here have few if any relatives to depend on for advice, care and nurturing of their wee ones. As I look into opening a day care for infants, I have come to realize there is a shortage of infant daycare on Maui, as well as care for toddlers.

Today, twenty day care centers located on ag land may soon be faced with a new tax proposed for such centers. I am unsure of the rationale behind such a tax. Twenty day care centers on Maui make up one-fourth of all such centers here on our fair island alone!

The proposed tax would certainly impact many daycare centers to the point of having to close down, as dedicated providers work for a meager sum, by any standard. This tax would take them out of commission. Where would families with babies turn for such help?

To complicate the matter by the end of March 2014 Human Services refuses to renew licenses for daycare centers on ag land for the year if the problem is not addressed.

Please consider standing strongly against the proposal, as an already under-served populace, our most vulnerable, will be the most to suffer.... our newborns, our toddlers, our keiki. Combine this with the threat to their families livelihood, and of course the income for day care providers whose business just happens to be located on ag land !

A daycare provider to 6 toddlers, a widowed Mom herself, will lose her source of income for she and her sons, because she runs her day care from her rented home on ag land. Day care owners and workers are dedicated to their work, out of love and respect to our youngest population, and in most cases struggle to survive, since the income from such work is seldom sufficient compensation for the hard work and loving dedication involved in caring for babies full time.

Our youngest cannot speak for themselves, all who recognize the idiocy of such a tax must speak in their favor.

I for one stand against such a proposal and all of the ramifications that would result from such a tax.

Sincere regards,

Mary Matis  
[808-264-2764](tel:808-264-2764)  
125 Peahi Rd.  
Haiku, HI 96708

**HB2560**

Submitted on: 3/10/2014

Testimony for HMS/AGL on Mar 11, 2014 14:00PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michelle Matson	Individual	Oppose	No

Comments: I oppose HB 2560. This is an unnecessary weakening of farmland protection law.



I oppose HB 2560. This is an unnecessary weakening of farmland protection law

Norm Bradley

Roadrunner <tkato2@hawaii.rr.com>

I oppose HB2560.

We need our local agriculture very badly.

**HB2560**

Submitted on: 3/10/2014

Testimony for HMS/AGL on Mar 11, 2014 14:00PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stuart Novick	Individual	Oppose	No

Comments: I strongly oppose HB2560. It is anti-home rule. It appears to be a piece of special interest legislation for Maui where there are care homes operating on ag land without the required permits. We don't need still more non-farming activities on our precious ag land. It's for FOOD. Plus there are other avenues like special permits and the LUC. Thank you for taking my testimony.

Aloha, My name is Thomas Hall and I have recently become aware of the hearing HB 2560 and the opportunity to testify before your committee. As a Grandparent, my Grandchildren greatly benefit from the love and care they get at their child care provider, Because of this I am able to work part-time with Convention Services that drive a Large portion of the business economy in Hawaii. I value my work and depend on it in order to provide for my family. Currently I researched Care providers on Maui and some of the Very Best Loving Care Givers live in agriculture zones. Please consider this huge mistake to possibly close down some of the Very Best People available to love and help raise our children. I can't tell you how important this is for the island of Maui and its Growing population. Please strongly consider this Plea from the community.

I am in strong support of HB 2560 because it expands the permitted uses in agriculturally designated zones to include family child care homes. In Hawaii's rural, agricultural communities on the neighbor islands, family child care homes offer an invaluable service to working families—providing quality care and early learning to the children in our local communities and enabling parents to work.

Obtaining a special use permit is beyond the capacity of most providers. The process is costly and time-consuming, and a number of providers have already had to shut their doors. If the law is not changed, many more providers will likely close, and many would-be child care providers will be discouraged from attempting to begin offering their services to the community.

Child care providers are integral to our economy because they enable Hawaii parents to work with peace of mind. Supporting HB2560 not only supports providers, but also supports hundreds of families in Maui County today and in the future, who need more -- not less -- options for quality care for their children.

Thank you for your support and for making sure family child care providers have a voice here in Hawaii.

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Tony Castanha <castanha@hawaii.edu>

I oppose HB 2560. This is an unnecessary weakening of farmland protection law. Mahalo.

We oppose this bill. Keep farmlands for farmers.

Victoria and Trudy Cannon

luanlani@juno.com

Oppose HB 2560

We oppose HB2560.