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**LATE**

TESTIMONY OF SCOTT E. ENRIGHT  
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEES ON PUBLIC SAFETY,  
INTERGOVERNMENTAL, & MILITARY AFFAIRS & AGRICULTURE &  
ENVIRONMENT

FEBRUARY 8, 2017  
1:15 P.M.  
CONFERENCE ROOM 224

SENATE BILL NO. 873  
RELATING TO AGRICULTURAL BUILDINGS

Chairpersons Nishihara and Gabbard and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill No.873 that requires a minimum 30 days of notice be given to county fire and building departments, prior to commencement of construction of structures that allegedly qualify for exemption from building permits and building codes. The amount of the civil fine for notification to counties less than 30 days will be \$100 for each day of violation. The Department of Agriculture supports the intent of this measure and recommends an amendment.

We note that these exempt structures are required to be "...located on a commercial farm or ranch and are used for general agricultural or aquacultural purposes..." (Bill, page 2 lines 4-8). If this fundamental requirement does not exist, the exempt agricultural building should not be permitted. To ensure this relationship of exempt agricultural building to agricultural uses exist, we propose the following amendment:



(Page 2, line 16 to page 3, line 13 – additional language is underscored and bold type)

(5) [~~Upon completion~~] Prior to commencement of construction or installation, the owner or occupier shall provide written notice to the appropriate county fire department, county planning department, and county building permitting agency of the size, type, and locations of the building, structure, or appurtenance thereto. In the same notice, the owner or occupier shall provide evidence to the satisfaction of the county planning department and building permitting agency that the building, structure, or appurtenance thereto is in compliance with paragraph (3) of this subsection. This evidence may include existence of current tax dedication status on the property on which the building, structure, or appurtenance thereto is proposed. Such written notification shall be provided to the county agencies [~~within~~] not less than thirty days [~~of the completion~~] prior to commencement of construction or installation of the building, structure, or appurtenance thereto. Failure to provide such written notice may void the building permit or building code exemption, or both, which voidance for such failure is subject to the sole discretion of the appropriate county building

permitting agency[+]. An owner or occupier who commences construction or installation less than thirty days after providing written notice shall be in violation of this paragraph and shall be assessed a

Thank you for the opportunity to comment on this measure.

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 7, 2017 7:26 PM  
**To:** PSMTestimony  
**Cc:** crystalkpaul@yahoo.com  
**Subject:** \*Submitted testimony for SB873 on Feb 8, 2017 13:15PM\*

**SB873**

Submitted on: 2/7/2017

Testimony for PSM/AEN on Feb 8, 2017 13:15PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Crystal Kia Paul	Individual	Oppose	No

Comments:

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