

STAND. COM. REP. NO.

800

Honolulu, Hawaii

MAR 03 2017

RE: S.B. No. 698
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 698, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS,"

begs leave to report as follows:

The purpose and intent of this measure is to improve the regulation of agricultural lands.

More specifically, the measure:

- (1) Requires an owner or occupier of certain agricultural lands that are subdivided or leased to provide written notice to certain county agencies of the agricultural uses or activities for which the lands were subdivided and leased, together with a subdivision or lease map; and
- (2) Grants state and county agencies authority to enter subdivided and leased agricultural lands to investigate for violations of and compliance with agricultural subdivision and lease qualifications.

Your Committee received written comments in support of this measure from the Department of Agriculture, the Department of Planning and Permitting of the City and County of Honolulu, the Hawaii Cattlemens Council, and Ponoholo Ranch Limited.



Your Committee finds that enforcement of agricultural subdivision and lease qualifications and agricultural building permit exemptions are challenging for state and county agencies and land use violations continue to occur. For example, a county planning agency having enforcement duties lacks authority to enter private property to investigate compliance of agricultural buildings with exemptions from building permit requirements and building codes.

Your Committee further finds that this measure provides appropriate agencies with additional tools to investigate certain agricultural land subdivision activities and permits those agencies to enter affected properties to inspect for compliance.

Your Committee has amended this measure by specifying that an agency that provides reasonable notice, but is refused entry to certain agricultural lands to inspect for violations, may apply to the district court for a warrant commanding police to provide assistance.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 698, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 698, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

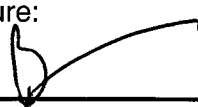


JILL N. TOKUDA, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 698, SD1	WTL/AEN/PSM, WAM	2/24/17		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
DELA CRUZ, Donovan M. (VC)				✓
ENGLISH, J. Kalani				✓
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene	✓			
INOUYE, Lorraine R.	✓	✓		
KAHELE, Kaiali'i				✓
RIVIERE, Gil	✓			
SHIMABUKURO, Maile S.L.	✓			
TANIGUCHI, Brian T.				✓
WAKAI, Glenn	✓			
TOTAL	6	1		4
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes