



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

**GOV. MSG. NO. 1398**

July 10, 2019

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Thirtieth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirtieth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

Re: SB381 SD2 HD1 CD1

Pursuant to Section 16 of Article III of the State Constitution, SB381 SD2 HD1 CD1, entitled "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS" became law as ACT 278 on July 10, 2019.

This bill directs the Office of Planning, Land Use Commission, Real Estate Commission, and Honolulu Department of Planning and Permitting to study land subdivision and condominium property regime (CPR) laws and require counties to adopt supplemental rules for CPRs that involve agricultural lands.

Although this will address the inappropriate use of existing subdivision or CPR laws in state agricultural districts, the study is limited to the City & County of Honolulu. Since this issue occurs in all four counties, it would be more appropriate to do the study with input from all counties.

The Honorable Ronald D. Kouchi  
The Honorable Scott K. Saiki  
July 10, 2019  
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For the foregoing reasons, I allowed SB381 SD2 HD1 CD1 to become law without my signature.

Sincerely,

A handwritten signature in black ink, appearing to read "David Y. Ige". The signature is fluid and cursive, with a prominent loop at the end.

DAVID Y. IGE  
Governor, State of Hawaii

Governor's signature JUL 10 2019

THE SENATE  
THIRTIETH LEGISLATURE, 2019  
STATE OF HAWAII

ACT 278  
S.B. NO.

381  
S.D. 2  
H.D. 1  
C.D. 1

# A BILL FOR AN ACT

RELATING TO AGRICULTURAL LANDS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The office of planning, in consultation with  
2 the land use commission, the real estate commission, and the  
3 department of planning and permitting of the city and county of  
4 Honolulu shall study the land subdivision and condominium  
5 property regime laws as they relate to agricultural land on Oahu  
6 and how these laws interact with city and county of Honolulu  
7 zoning ordinances, to:

8           (1) Determine whether they contain potential ambiguities,  
9 omissions, or other deficiencies through which a  
10 landowner might develop land contrary to the  
11 legislative intent of those laws; and

12           (2) Propose legislation to remedy any deficiencies found.

13           SECTION 2. In conducting its research for the study  
14 required in section 1, the office of planning shall conduct a  
15 public hearing to gather information from the general public.

16           SECTION 3. The office of planning shall submit a report of  
17 its findings and recommendations, including any proposed



1 legislation, to the legislature no later than twenty days prior  
2 to the regular session of 2021.

3 SECTION 4. Section 514B-6, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "[~~§~~514B-6~~]~~ Supplemental county rules governing a  
6 condominium property regime. [~~Whenever any county deems it~~  
7 ~~proper, the county may]~~ No later than July 1, 2022, the counties  
8 shall adopt supplemental rules governing condominium property  
9 regimes, including agricultural lands that are held in  
10 condominium property regimes, established under this chapter in  
11 order to implement this program; provided that any of the  
12 supplemental rules adopted shall not conflict with this chapter  
13 or with any of the rules adopted by the commission to implement  
14 this chapter."

15 SECTION 5. If any provision of this Act, or the  
16 application thereof to any person or circumstance, is held  
17 invalid, the invalidity does not affect other provisions or  
18 applications of the Act that can be given effect without the  
19 invalid provision or application, and to this end the provisions  
20 of this Act are severable.



1 SECTION 6. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect upon its approval.  
4

APPROVED this                      day of                      , 2019

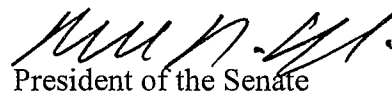
GOVERNOR OF THE STATE OF HAWAII

S.B. No. 381, S.D. 2, H.D. 1, C.D. 1

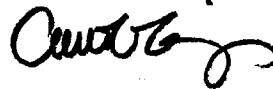
**THE SENATE OF THE STATE OF HAWAI'I**

Date: April 30, 2019  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.



President of the Senate



Clerk of the Senate

SB No. 381, SD 2, HD 1, CD 1

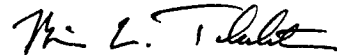
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2019  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives