

JAN 18 2019

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# A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1           SECTION 1. The legislature finds that under article XI,  
2 section 3, of the Hawaii State Constitution, the State has the  
3 duty to conserve and protect agricultural lands, promote  
4 diversified agriculture, increase agricultural self-sufficiency,  
5 and assure the availability of agriculturally suitable lands.  
6 The State has made sustainability and self-sufficiency in  
7 agriculture and food supply a priority.

8           The legislature further finds that economically affordable,  
9 safe, and sanitary on-farm housing units are critical for  
10 working farms to attract and retain both long-term and short-  
11 term farm workers. Yet, existing laws governing construction of  
12 such on-farm housing units are complicated, confusing, and vary  
13 across the State. Currently, on-farm housing units must comply  
14 with different layers of regulations at the federal level, and  
15 laws and rules at the state and county level. Many of the laws  
16 and rules governing construction of traditional residential  
17 housing units are ill-suited to the demands and economic



1 realities of working farms. These existing laws, rules, and  
2 processes preclude farms from providing safe, sanitary, and  
3 affordable on-farm housing units to attract and retain farm  
4 workers, and stand as an obstacle to the State's agricultural  
5 self-sufficiency.

6 Accordingly, the purpose of this Act is to establish an  
7 agricultural housing task force to analyze and provide  
8 recommendations that would streamline existing laws, rules, and  
9 processes to authorize the construction of safe and sanitary on-  
10 farm housing units for residential use within agricultural  
11 districts, on farms that are engaged in agricultural production.

12 SECTION 2. (a) There is established the agricultural  
13 housing task force within the office of planning for  
14 administrative purposes only. The agricultural housing task  
15 force shall have the following objectives:

- 16 (1) Study existing county and state laws, rules, and  
17 processes for the construction of housing units for  
18 residential use within agricultural districts across  
19 the State;
- 20 (2) Identify existing barriers in laws, rules, and  
21 processes that prohibit the construction of safe and



1           affordable on-farm housing units for farmworkers,  
2           including mobile units for temporary and seasonal  
3           farmworkers;

4           (3) Make recommendations for changes to existing state and  
5           county laws, rules, and processes as necessary; and

6           (4) Propose one master use application process, as well as  
7           laws and rules that can be applied consistently  
8           throughout the State for the construction of safe and  
9           affordable on-farm housing units for farmworkers,  
10          including mobile units for temporary and seasonal farm  
11          workers.

12          (b) The agricultural housing task force shall consist of  
13          the following:

14          (1) The director of the office of planning or the  
15          director's designee, who shall serve as chairperson;

16          (2) The chairperson of the board of agriculture or the  
17          chairperson's designee;

18          (3) The deputy director of the department of health's  
19          environmental health administration or the deputy  
20          director's designee;



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1           (4) The chairperson of the land use commission or the  
2           chairperson's designee;

3           (5) One representative member from each of the city and  
4           county of Honolulu, Maui county, Hawaii county, and  
5           Kauai county zoning and planning departments;

6           (6) Two representative members from an agricultural or  
7           farming association; and

8           (7) One representative member from a public interest  
9           organization with a focus on housing issues.

10          (c) Members of the agricultural housing task force shall  
11 be exempt from section 26-34, Hawaii Revised Statutes, and shall  
12 serve without compensation, but shall be reimbursed for  
13 reasonable expenses necessary for the performance of their  
14 duties, including travel expenses.

15          (d) The agricultural housing task force shall:

16          (1) Submit a preliminary report of its findings and  
17          recommendations, including any proposed legislation,  
18          to the legislature no later than twenty days prior to  
19          the convening of the regular session of 2021; provided  
20          that the preliminary report shall discuss the issues  
21          listed in subsection (a);



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1           (2) Prepare a draft guide for the public's understanding  
2           and benefit explaining the existing process for, and  
3           the laws and rules relating to, approval of  
4           residential housing in agricultural districts across  
5           the State, including county and local ordinances that  
6           pertain to each locality, no later than twenty days  
7           prior to the convening of the regular session of 2022;  
8           and

9           (3) Submit a final report of its findings and  
10          recommendations, including any proposed legislation,  
11          to the legislature no later than twenty days prior to  
12          the convening of the regular session of 2025.

13          (e) The office of planning shall provide administrative  
14          and clerical support required by the agricultural housing task  
15          force.

16          (f) The agricultural housing task force shall cease to  
17          exist on June 30, 2025.

18          SECTION 3. There is appropriated out of the general  
19          revenues of the State of Hawaii the sum of \$                    or so  
20          much thereof as may be necessary for fiscal year 2019-2020 and



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1 the same sum or so much thereof as may be necessary for fiscal  
2 year 2020-2021 for the purposes of this Act.

3 The sums appropriated shall be expended by the office of  
4 planning for the purposes of this Act.

5 SECTION 4. This Act shall take effect on July 1, 2019.

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INTRODUCED BY:

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**Report Title:**

Agricultural Housing Task Force; On-farm Housing; Construction; Agricultural Districts; Appropriation

**Description:**

Establishes the agricultural housing task force within the office of planning to study existing county and state laws, rules, and processes for construction of housing units within agricultural districts to identify barriers to construction, make recommendations, and propose one master use application process to be applied throughout the State. Makes an appropriation.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

