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



1 working farms. These existing laws, rules, and processes
2 preclude farms from providing safe, sanitary, and affordable on-
3 farm employee housing to attract and retain farm workers, and
4 stand as an obstacle to the State's agricultural self-
5 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 employee housing within agricultural districts, on farms
11 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 employee housing
18 within agricultural districts across the State;
- 19 (2) Identify existing barriers in laws, rules, and
20 processes that prohibit the construction of safe and
21 affordable on-farm employee housing for farmworkers,



- 1 including mobile units for temporary and seasonal
2 farmworkers;
- 3 (3) Give special consideration to modular housing as a
4 solution;
- 5 (4) Create a separate legal designation, as it relates to
6 zoning, for homes with a permanent foundation and
7 modular homes without a permanent foundation;
- 8 (5) Make recommendations for changes to existing state and
9 county laws, rules, and processes as necessary; and
- 10 (6) Propose one master use application process, as well as
11 laws and rules that can be applied consistently
12 throughout the State for the construction of safe and
13 affordable on-farm employee housing for farmworkers,
14 including mobile units for temporary and seasonal farm
15 workers.
- 16 (b) The agricultural housing task force shall consist of
17 the following:
- 18 (1) The director of the office of planning or the
19 director's designee, who shall serve as chairperson;
- 20 (2) The chairperson of the board of agriculture or the
21 chairperson's designee;



- 1 (3) The deputy director of the department of health's
2 environmental health administration or the deputy
3 director's designee;
- 4 (4) The chairperson of the land use commission or the
5 chairperson's designee;
- 6 (5) One representative member from each of the city and
7 county of Honolulu, Maui county, Hawaii county, and
8 Kauai county zoning and planning departments;
- 9 (6) Two representative members from an agricultural or
10 farming association; and
- 11 (7) One representative member from a public interest
12 organization with a focus on housing issues.
- 13 (c) Members of the agricultural housing task force shall
14 be exempt from section 26-34, Hawaii Revised Statutes, and shall
15 serve without compensation, but shall be reimbursed for
16 reasonable expenses necessary for the performance of their
17 duties, including travel expenses.
- 18 (d) The agricultural housing task force shall:
- 19 (1) Submit a preliminary report of its findings and
20 recommendations, including any proposed legislation,
21 to the legislature no later than twenty days prior to



1 the convening of the regular session of 2021; provided
2 that the preliminary report shall discuss the issues
3 listed in subsection (a);

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

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

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

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

20 SECTION 3. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2019-2020 and
2 the same sum or so much thereof as may be necessary for fiscal
3 year 2020-2021 for the purposes of this Act.

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

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



Report Title:

Agricultural Housing Task Force; On-farm Employee 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 employee housing within agricultural districts to identify barriers to construction, make recommendations, and propose one master use application process to be applied throughout the State. Directs the task force to give special consideration to modular housing as a solution and make a legal designation, as it relates to zoning, between homes with a permanent foundation and modular homes without a permanent foundation. Makes an appropriation. (SD1)

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

