

Honolulu, Hawaii

February 6, 2019

RE: H.B. No. 1101

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Agriculture, to which was referred H.B. No. 1101 entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

begs leave to report as follows:

The purpose of this measure is to address the impediments to fulfilling the critical need for on-farm housing units to attract and retain both long-term and short-term farmworkers, which will move Hawaii closer to its goal of food self-sufficiency. Specifically, this measure:

- (1) Establishes the six-year Agricultural Housing Task Force (Task Force), with a specified membership of state and county officials and relevant private organizations, to:
 - (A) Study state and county laws and processes for the construction of residential housing units within the agricultural districts;
 - (B) Identify legal and procedural barriers that prohibit the construction of safe and affordable on-farm housing units for farmworkers, including mobile units;



- (C) Recommend changes to existing state and county laws and procedures that impede the construction of on-farm housing units; and
 - (D) Propose one master use application form and uniformity in state and county law for the construction of safe and affordable on-farm housing units for farmworkers, including mobile units;
- (2) Requires the Task Force to submit its findings and recommendations to the Legislature in a preliminary report prior to the Regular Session of 2021, a final report prior to the Regular Session of 2025, and a draft guide for the public covering the state and county laws and processes for residential housing in agricultural districts prior to the Regular Session of 2022; and
 - (3) Appropriates funds for each year of fiscal biennium 2019-2021 for the purposes of the Task Force.

The Ulupono Initiative, Hawai'i Alliance for Progressive Action, Hawaii Cattlemen's Council, GMO Free Kaua'i, Hawai'i Center for Food Safety, Greenleaf Farm, A'a Li'i Farm, We Are One, Inc., and many concerned individuals supported this measure. The Department of Agriculture (DOA), Office of Planning, and Hawai'i Farm Bureau provided comments.

Your Committee has amended this measure by:

- (1) Clarifying, and making conforming amendments, that the on-farm housing units are intended for residential use by farmworkers, that is, "on-farm workforce housing units";
- (2) Designating a representative from the Hawaii Farm Bureau and a representative from the Hawaii Farmers Union United, as the two representative members of the Task Force from an agricultural or farming organization;
- (3) Designating the Speaker of the House of Representatives as the appointing authority for the representative member of the Task Force from a public interest organization with a focus on housing issues;



- (4) Changing its effective date to July 1, 2150, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee respectfully requests that your Committees on Water, Land, & Hawaiian Affairs and Finance consider and take appropriate action on the recommendations and comments of the DOA and Hawaii Farm Bureau.

To avoid any confusion as to the focus of the Task Force, DOA prefers that the language in section 205-4.5(a)(4), Hawaii Revised Statutes, (relating to permissible uses with the agricultural districts) that describes "employee housing" be substituted for "housing units for residential use on farms." Further, DOA provided statistics that indicate that the County of Hawaii has the majority of hired farm laborers in Hawaii and has the lowest paid farm laborers in the State.

The Hawaii Farm Bureau believes that the shortage of affordable agricultural workforce housing is an impediment to attracting farmworkers that is necessary to expand agriculture in Hawaii. A streamlined process to develop farmworker housing will address the challenges posed to farmers by the extensive rules of the State and counties, as well as the federal Department of Labor. The Bureau recommends that this measure should be clarified to focus the intent of the Task Force on agricultural workforce housing, rather than residential housing on agricultural lands.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1101, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1101, H.D. 1, and be referred to your Committee on Water, Land, & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Agriculture,



RICHARD P. CREAGAN, Chair



