



# OFFICE OF PLANNING STATE OF HAWAII

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Statement of  
**RODNEY FUNAKOSHI**  
Planning Program Administrator, Office of Planning  
before the  
**SENATE COMMITTEE ON JUDICIARY**  
Friday, February 22, 2019  
9:00 PM  
State Capitol, Conference Room 016

in consideration of  
**SB 940**  
**RELATING TO AGRICULTURAL BUILDINGS.**

Chair Rhoads, Vice Chair Wakai, and Members of the Senate Committee on Judiciary.

The Office of Planning (OP) **supports** SB 940 which amends Hawaii Revised Statutes, Section 46-88 (c) to allow appropriate county fire, police department, and building permit agencies the right to enter exempted agricultural buildings to investigate allegations of violations and compliance with this section. This amendment would allow county agencies to exercise their enforcement powers and help to prevent the misuse of agricultural buildings and structures which sometimes are illegally transformed into residential uses.

Thank you for this opportunity to testify.

DAVID Y. IGE  
Governor

JOSH GREEN  
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER  
Acting Chairperson  
Board of Agriculture

State of Hawaii  
**DEPARTMENT OF AGRICULTURE**  
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TESTIMONY OF THE DEPARTMENT OF AGRICULTURE  
BEFORE THE SENATE COMMITTEE ON JUDICIARY

FEBRUARY 22, 2019  
9:00 A.M.  
CONFERENCE ROOM 016

SENATE BILL NO. 940  
RELATING TO AGRICULTURAL BUILDINGS

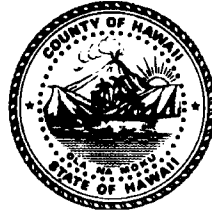
Chairperson Rhoads and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 940, that grants county fire departments and building permitting agencies the implicit right to enter property to investigate agricultural buildings and structures for violations of, and compliance with, building permit and code exemption qualifications. The Department of Agriculture supports the intent of this measure that promotes active monitoring and enforcement of these exempted structures. We note that exempt structures are required to be "...located on a commercial farm or ranch and are used for general agricultural or aquacultural purposes..." (Bill, page 2, lines 4-8). If this fundamental requirement does not exist, the exempt agricultural building should not be permitted.

Thank you for the opportunity to testify on this bill.



Harry Kim  
Mayor



Wil Okabe  
Managing Director

Barbara J. Kossow  
Deputy Managing Director

## County of Hawai'i Office of the Mayor

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February 19, 2019

Senator Karl Rhoads, Chair  
Committee on Judiciary

Senator Glenn Wakai, Vice Chair  
Committee on Judiciary

Dear Chair Rhoads, Vice Chair Wakai, and Committee Members:

**RE: SB 940 Relating to Agricultural Buildings**

SB 940 recognizes that there needs to be a method of verification if exemptions to a Building Code are conditional, and if those conditions are to be taken seriously.

It seems that SB 940 provides an appropriate balance between the need for verification and the right of privacy. It is limited to agricultural buildings, it is limited in the personnel who can investigate, it is limited as to purpose, and it puts the burden on government to seek court oversight if there is a dispute.

I support SB 940 and urge its adoption.

Respectfully Submitted,

Harry Kim  
MAYOR

**LATE**

**SB-940**

Submitted on: 2/21/2019 4:40:28 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dale Sandlin	Testifying for Hawaii Cattlemens Council	Support	No

Comments:

**SB-940**

Submitted on: 2/21/2019 6:49:49 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gregory Friel	Individual	Oppose	No

Comments: