

STAND. COM. REP. NO.

848

Honolulu, Hawaii

MAR 02

, 2023

RE: H.B. No. 615

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 615, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RESTRICTIONS ON AGRICULTURAL USES AND ACTIVITIES,"

begs leave to report as follows:

The purpose of this measure is to clarify that any provision in a private agreement contained in a conveyance of land recorded on or before July 8, 2003, that limits or prohibits agricultural use or activity and has since expired but has not been renewed and recorded in the Bureau of Conveyances is void.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Planning and Sustainable Development, and Hawai'i Farm Bureau. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that restrictive covenants that limit agricultural uses on agricultural lands undermine the State's interest in protecting and preserving agricultural resources and promoting agricultural self-sufficiency. This measure seeks to promote agricultural use by deeming void any provision in a private agreement contained in a conveyance of land recorded on or before July 8, 2003, that limits or prohibits agricultural use or

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activity and has since expired, even if it has not been renewed and recorded in the Bureau of Conveyances.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 615, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: <i>HB 615 HD1</i>	Committee Referral: <i>AGR, WAL, CPC</i>	Date: <i>02-22-23</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	<i>/</i>			
2. SAYAMA, Jackson D. (VC)	<i>/</i>			
3. AMATO, Terez				<i>/</i>
4. BELATTI, Della Au				<i>/</i>
5. HASHEM, Mark J.	<i>/</i>			
6. HUSSEY-BURDICK, Natalia	<i>/</i>			
7. GATES, Cedric Asuega	<i>/</i>			
8. LOWEN, Nicole E.	<i>/</i>			
9. ONISHI, Richard H.K.				<i>/</i>
10. TAM, Adrian K.	<i>/</i>			
11. PIERICK, Elijah	<i>/</i>			
TOTAL (11)	<i>8</i>			<i>3</i>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 150px;">committee acronym(s)</small>				
Vice Chair's or designee's signature: <i>[Signature]</i>				
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