

Honolulu, Hawaii

MAR 24 2023

RE: H.B. No. 995
H.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Agriculture and Environment and Water and Land, to which was referred H.B. No. 995, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify the decision-making process for the Land Use Commission adoption of county maps and designation of important agricultural lands; and
- (2) Repeal the provision for farm dwelling and employee housing on important agricultural lands and adopt a new provision for farm cluster housing as an incentive for the designation of lands as important agricultural lands.

Your Committees received testimony in support of this measure from the Department of Agriculture, Office of Planning and Sustainable Development, and Hawai'i Farm Bureau. Your Committees received comments on this measure from the Land Use Commission.

Your Committees find that the identification of important agricultural lands (IAL) is a constitutional mandate pursuant to article XI, section 3, of the Hawaii State Constitution. This mandate conserves and protects agricultural lands, promotes



diversified agriculture, increases agricultural self-sufficiency, and assures the availability of agriculturally suitable lands. However, because of the lack of clarity on how IAL designations may affect land use and rights, many small agricultural landowners are uneasy about seeking IAL designations. Your Committees further find that some landowners question whether an IAL designation will restrict their occupancy of farm dwellings, causing them to worry that they may be forced to leave their homes once they are no longer physically able to work the land. This measure will allow the Department of Agriculture to offer more clarity about IAL designations through the rulemaking process and provides incentives for the development of housing for farmers and their employees.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 995, H.D. 2, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Agriculture and
Environment and Water and Land,

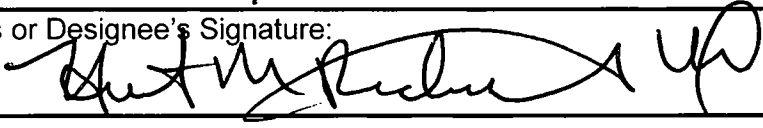

LORRAINE R. INOUE, Chair


MIKE GABBARD, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i


**Record of Votes
Committee on Agriculture and Environment
AEN**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB995, HD2	AEN/WTL, WAM	03-22-23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RICHARDS, III, Herbert M. "Tim" (VC)	X			
DECOITE, Lynn	X			
RHOADS, Karl	X			
AWA, Brenton	X			
TOTAL	5			
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 995, HD2	AEN/WTL, WAM	3/22/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)		✓		
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.				✓
FEVELLA, Kurt				✓
TOTAL	2	1	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

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