

Honolulu, Hawaii

MAR 01, 2024

RE: H.B. No. 1923
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1923, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CAMPS,"

begs leave to report as follows:

The purpose of this measure is to specify that overnight camps in operation prior to January 1, 1961, may be approved through the special permit process.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development; Rory Frampton Consulting Inc.; Maui Surfer Girls, Inc.; Boy Scouts of America, Aloha Council; and Girl Scouts of Hawai'i. Your Committee received comments on this measure from the Department of Agriculture.

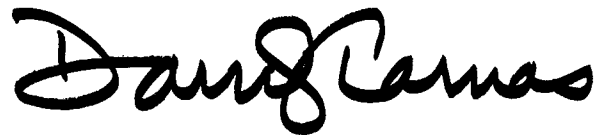
Your Committee finds that the Hawaii Supreme Court, in *Ho'omoana Foundation v. Land Use Commission*, 152 Haw. 337, 526 P.3d 314 (2023), held that uses explicitly excluded as a use on class A and B agricultural land could not be permitted through the special use permit process, overruling the Court's holding in *Maha'ulepu v. Land Use Commission*, 71 Haw. 332, 790 P.2d 906 (1990). Your Committee further finds that on Maui there are two campgrounds whose permits will be expiring within the next two years. As a result of *Ho'omoana Foundation*, these two campgrounds, and others



who operate pursuant to special permit, would be required to obtain a district boundary amendment to change the land use classification from agricultural to urban, which is an onerous and expensive process. This measure allows these overnight campgrounds to continue to operate pursuant to a permit issued by the Land Use Commission through the special permit process.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1923, H.D. 1, and recommends that it pass Third Reading.

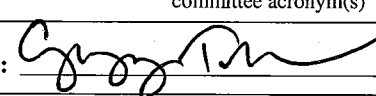
Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB1923, HD1	Committee Referral: WAL/AGR, JHA	Date: 2-24-24		
<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)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	/			
2. TAKAYAMA, Gregg (VC)	/			
3. EVSLIN, Luke A.	/			
4. GANADEN, Sonny	/			
5. HOLT, Daniel				/
6. ICHIYAMA, Linda	/			
7. ILAGAN, Greggor				/
8. KONG, Sam Satoru	/			
9. MIYAKE, Tyson K.	/			
10. SOUZA, Kanani	/			
TOTAL (10)	8	-	-	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				