

STAND. COM. REP. NO. 3318

Honolulu, Hawaii

MAR 22 2024

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

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Water and Land, 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 and intent of this measure is to allow overnight camps in operation prior to January 1, 1961, to be regulated via the special permit process.

Your Committee received testimony in support of this measure from the Department of Agriculture; Office of Planning and Sustainable Development; Boy Scouts of America, Aloha Council; Kimoqueo Foundation; Maui Surfer Girls, Inc.; Maui Chamber of Commerce; and one individual.

Your Committee received comments on this measure from the Land Use Commission.

Your Committee finds that in March 2023, the Hawaii Supreme Court ruled that the specific exclusion of overnight camps from the list of permitted uses in agricultural districts means that special permits cannot be issued for overnight camps in agricultural districts, reversing a prior Hawaii Supreme Court opinion that allowed for uses, such as overnight camps, to be approved via special permits if they were deemed to be an "unusual



and reasonable" use in the agricultural district. Affected campgrounds would need to obtain a district boundary amendment to change the land use classification from agricultural to urban, though these campgrounds are in rural settings with no urban uses in the nearby vicinity. This measure repeals the prohibition on overnight camps in agricultural districts to allow these camps to operate with a special permit.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1923, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1923, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.


Respectfully submitted on
behalf of the members of the
Committee on Water and Land,


LORRAINE R. INOUE, Chair



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 1923 HD1	WTL, JDC	3/20/24		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.				✓
FEVELLA, Kurt				✓
TOTAL	3	0	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				

*Only one measure per Record of Votes