

STAND. COM. REP. NO. **3315**

Honolulu, Hawaii

**MAR 22 2024**

RE: H.B. No. 1542  
H.D. 2  
S.D. 1

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

Sir:

Your Committees on Water and Land and Government Operations,  
to which was referred H.B. No. 1542, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

beg leave to report as follows:

The purpose and intent of this measure is to allow each of  
the counties a temporary opportunity to petition for the  
redistricting of land from the agricultural district to the rural  
district through the Land Use Commission's declaratory ruling  
process.

Your Committees received testimony in support of this measure  
from the Office of Planning and Sustainable Development.

Your Committees received testimony in opposition to this  
measure from three individuals.

Your Committees received comments on this measure from the  
Department of Agriculture and Land Use Commission.

Your Committees find that the counties currently do not have  
the tools to efficiently address existing non-conforming  
agricultural district lands, which have residential subdivisions  
that should be reclassified to the rural district.  
Reclassification that is consistent with the county general plan



and community development plans is the most effective means to align state and county land use policy that seeks to separate non-farm residential uses from bona fide farming. This measure will temporarily allow the counties to petition for the redistricting of land from the agricultural district to the rural district through the Land Use Commission's declaratory orders process, rendering state and county land use policy more consistent.

Your Committees have amended this measure by:

- (1) Inserting language specifying that the applicable county planning commission must provide required due process for district boundary amendments under constitutional and statutory law; and
- (2) Inserting language requiring the Office of Planning and Sustainable Development to appear as a party to every case of redistricting at both state and county levels to make recommendations addressing state interests and public trust issues.

As affirmed by the records of votes of the members of your Committees on Water and Land and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1542, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1542, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Water and Land  
and Government Operations,



ANGUS L.K. MCKELVEY, Chair




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.:*<br><b>HB 1542, HD 2</b>  | Committee Referral:<br><b>WTL/GVD, WAM</b> | Date:<br><b>3/19/24</b> |          |          |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____  |  |                         |          |          |
| The Recommendation is:<br><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  | ✓  |                         |          |          |
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| <b>TOTAL</b>   | <b>4</b>                                   | <b>1</b>                | <b>0</b> | <b>0</b> |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |  |                         |          |          |
| Chair's or Designee's Signature:<br>   |  |                         |          |          |
| Distribution:             Original     Yellow     Pink     Goldenrod<br>File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy  |  |                         |          |          |

**\*Only one measure per Record of Votes**

