

Honolulu, Hawaii

FEB 13 2025RE: S.B. No. 216
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 216 entitled:

"A BILL FOR AN ACT RELATING TO FARM DWELLINGS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Beginning January 1, 2026, prohibit the construction of new farm dwellings on agricultural park lots;
- (2) Prohibit any person from residing, living, dwelling, or sleeping on any agricultural park lot except within a farm dwelling permitted by the Board of Agriculture; provided that the Board's review includes an evaluation of appropriate buffer zones to address potential nuisances from the use of farm dwellings; and
- (3) Allow the Department of Agriculture to inspect agricultural park lots for unpermitted farm dwellings during fiscal year 2025-2026.

Your Committee received comments on this measure from the Department of Agriculture and Hawai'i Farm Bureau.

Your Committee finds that the emergence of farm dwellings on agricultural park lots has contributed to community complaints



concerning dust, noise pollution, and other nuisances, particularly on Maui. Your Committee recognizes that agricultural parks are intended for commercial farming, and that the use of these agricultural lands should align with agricultural production goals. According to testimony received by your Committee, it is a longstanding practice for farmers to live on their agricultural lots as it is necessary for effective farm management, land stewardship, and food security. As such, farm dwellings can play an important function in support of a farm and the inability to construct future dwellings could create a hardship for legitimate farmers. Amendments to this measure are therefore necessary to address this issue.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have, beginning January 1, 2026, prohibited the construction of new farm dwellings on agricultural park lots; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

Your Committee notes that this measure does not contain any appropriation language. Testimony from the Department of Agriculture estimates that a supplement of \$250,000, with a commensurate ceiling increase, to its Agricultural Parks Special Fund, is needed for a consultant to evaluate all appropriate buffer zones that address potential nuisances from the use of farm dwellings. Therefore, your Committee respectfully requests that subsequent Committees to which this measure is referred consider this request.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 216, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 216, S.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Agriculture and
Environment,


MIKE GABBARD, Chair



