

DAVID Y. IGE  
Governor

JOSH GREEN  
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER  
Chairperson, Board of Agriculture

State of Hawaii  
**DEPARTMENT OF AGRICULTURE**  
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**TESTIMONY OF PHYLLIS SHIMABUKURO-GEISER  
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEES ON AGRICULTURE AND WATER, LAND, &  
HAWAIIAN AFFAIRS**

**MARCH 13, 2019  
11:15 A.M.  
CONFERENCE ROOM 325**

**SENATE BILL NO. 940 SD1  
RELATING TO AGRICULTURAL BUILDINGS**

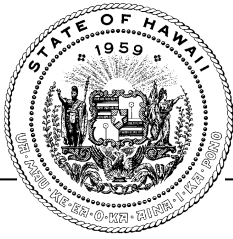
Chairpersons Creagan and Yamane and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill 940, SD1 that grants county fire departments and building permitting agencies the explicit right to enter property to investigate agricultural buildings and structures for violations of, and compliance with, building permit and code exemption qualifications. The Department supports the intent of this measure that promotes active monitoring and enforcement of these exempted structures.

We note that exempt structures are required to be "...located on a commercial farm or ranch and are used for general agricultural or aquacultural purposes..." (Bill, page 2, lines 4-8). If this fundamental requirement does not exist, the exempt agricultural building should not be permitted.

Thank you for the opportunity to testify on this bill.





# OFFICE OF PLANNING STATE OF HAWAII

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Statement of  
**RODNEY FUNAKOSHI**  
Planning Program Administrator, Office of Planning  
before the  
**HOUSE COMMITTEES ON AGRICULTURE AND  
WATER, LAND & HAWAIIAN AFFAIRS**  
Wednesday, March 13, 2019  
11:15 AM  
State Capitol, Conference Room 325

in consideration of  
**SB 940, SD 1**  
**RELATING TO AGRICULTURAL BUILDINGS.**

Chairs Creagan and Yamane, Vice Chairs DeCoite and Todd, and Members of the House Committees on Agriculture and Water, Land & Hawaiian Affairs.

The Office of Planning (OP) **supports** SB 940, SD 1 which amends Hawaii Revised Statutes, Section 46-88 (c) to allow appropriate county fire, police department, and building permit agencies the right to enter exempted agricultural buildings to investigate allegations of violations and compliance with this section. This amendment would allow county agencies to exercise their enforcement powers and help to prevent the misuse of agricultural buildings and structures which sometimes are illegally transformed into residential uses.

Thank you for this opportunity to testify.

**SB-940-SD-1**

Submitted on: 3/11/2019 4:40:12 PM

Testimony for AGR on 3/13/2019 11:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dale Sandlin	Hawaii Cattlemens Council	Support	No

Comments:

**SB-940-SD-1**

Submitted on: 3/8/2019 4:01:08 PM

Testimony for AGR on 3/13/2019 11:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cathy Goeggel	Animal Rights Hawai'i	Support	No

Comments:

**SB-940-SD-1**

Submitted on: 3/8/2019 5:38:12 PM

Testimony for AGR on 3/13/2019 11:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John R. Gordines	Individual	Support	No

Comments:

**SB-940-SD-1**

Submitted on: 3/9/2019 3:31:01 PM

Testimony for AGR on 3/13/2019 11:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gerard Silva	Individual	Oppose	No

Comments:

This violates our rights. No one should be able to enter any property with out the property owners permission. I would charge any one entering any property with invation of Privacy.

Is this Government turing in to a Dictatorship.

**SB-940-SD-1**

Submitted on: 3/11/2019 6:37:03 AM

Testimony for AGR on 3/13/2019 11:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alan Gottlieb	Individual	Support	No

Comments: