STAND. COM. REP. NO. 2110

Honolulu, Hawaii

APR 04 2008 RE: H.B. No. 2450 H.D. 1

S.D. 2

Honorable Colleen Hanabusa President of the Senate Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 2450, H.D. 1, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to require the Land Use Commission, if the Commission receives a request to reclassify a land district to an urban or rural district designation that is contiguous to an existing designated agricultural district, to inform the applicant requesting the reclassification of the presence of the existing agricultural and contiguous agricultural district.

This measure also requires, as a condition for the land use district reclassification, that the applicant permit the continued operation of any existing farming operation on the contiguous agricultural district, and that the applicant not declare any farming operation a nuisance and otherwise comply with the Hawaii Right to Farm Act.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development & Tourism; Department of Agriculture; Hawaii Farm Bureau Federation; and Lalamilo Farm Lots Association. Testimony in opposition was received from Hawaii's Thousand Friends.



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Your Committee finds that developers desire to maximize the use of their lands, thus forcing adjacent farmers to curtail or terminate the use of their land for farming. The intent of this measure is to protect, preserve, and perpetuate farm operations that may be adjacent to developed land as a result of a land reclassification proceeding.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to continue the discussions in this matter; and
- (2) Making a technical, nonsubstantive amendment.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2450, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2450, H.D. 1, S.D. 2.

> Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

BRIAN T. TANIGUCHI,



The Senate Twenty-Fourth Legislature State of Hawaii

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral:		Da	Date:	
HB 2450 HD 1 5D1	AHN/NTL, JDL 4-1-08			-08	
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye 🦯	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)		V			1
HEE, Clayton (VC)					\vee
GABBARD, Mike		V_{c}			
KOKUBUN, Russell S.		VZ	(
NISHIHARA, Clarence K.					
SLOM, Sam		/_			
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	en an an an an an an an Anna an Anna. An an Anna				
TOTAL		5			
Recommendation:					
Adopted Not Adopted					
Chair's or Designee's Bionatore:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes