

Honolulu, Hawaii

FEB 17 2012

RE: S.B. No. 2341  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committees on Agriculture and Water, Land, and Housing,  
to which was referred S.B. No. 2341 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:

- (1) Repeal the prohibition on overnight accommodations at accessory facilities that are connected with a farming operation; and
- (2) Authorize short-term rentals in agricultural districts.

Your Committees received testimony in support of this measure from Olomana Gardens, Windward Ahupua'a Alliance, and one individual. Your Committees received testimony in opposition to this measure from the Department of Agriculture; Department of Business, Economic Development, and Tourism; and City and County of Honolulu Department of Planning and Permitting. Your Committees received comments on this measure from the Hawaii Farm Bureau Federation.

Your Committees find that agritourism has been successful in other areas of the United States, such as Napa Valley in California. Allowing more opportunities for farmers and ranchers to raise capital is something that must be taken into consideration when looking at ways to make Hawaii more self-sufficient in food production. However, your Committees also



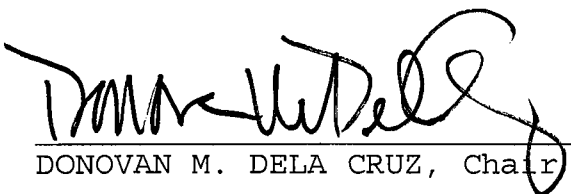
recognize the concerns raised by the Department of Agriculture and the City and County of Honolulu Department of Planning and Permitting that allowing short-term rentals may increase land values in agricultural districts and may contribute to the loss of agricultural lands to higher-value, non-agricultural leases.

As such, your Committees have amended this measure by:

- (1) Adding a purpose section; and
- (2) Allowing within agricultural districts activities or uses for short-term rentals of thirty-one days or less, in any one stay within a county; provided that the appropriate county has adopted an ordinance that specifically authorizes such use.

As affirmed by the records of votes of the members of your Committees on Agriculture and Water, Land, and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2341, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2341, S.D. 1, and be referred to the Committee on Tourism.

Respectfully submitted on  
behalf of the members of the  
Committees on Agriculture and  
Water, Land, and Housing,

  
DONOVAN M. DELA CRUZ, Chair

  
CLARENCE K. NISHIHARA, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Agriculture**  
**AGL**

Bill / Resolution No.:* <b>SB2341</b>	Committee Referral: <b>AGL/WLH, TSM</b>	Date: <b>2-17-12</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
KAHELE, Gilbert (VC)	✓			
CHUN OAKLAND, Suzanne				✓
DELA CRUZ, Donovan M.	✓			
KOUCHI, Ronald D.		✓		
SHIMABUKURO, Maile				✓
TOKUDA, Jill N.				✓
WAKAI, Glenn	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>3</b>
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted           <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature: 				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

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

APJ.  
~~APJ.~~

Bill / Resolution No.:*	Committee Referral:	Date:		
<b>SB2341</b>	<b>AGL/WHH, TSM</b>	<b>2-14-12</b>		
<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
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol				✓
RYAN, Pohai	✓			
SHIMABUKURO, Maile	✓			
TOKUDA, Jill N.				✓
SLOM, Sam	✓			
<b>TOTAL</b>	<b>5</b>			<b>2</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

Revised: 01/20/11