Honolulu, Hawaii

MAR 0 3 2016

RE: S.B. No. 2946
     S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Water, Land, and Agriculture, to which was
referred S.B. No. 2946, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INDIGENOUS HAWAIIAN
ARCHITECTURE,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize
indigenous Hawaiian architecture on agricultural lands to be used
for farm worker housing.

Your Committee received testimony in support of this measure
from Hoʻomana Pono, LLC; and six individuals. Your Committee
received testimony in opposition to this measure from the
Department of Agriculture and City and County of Honolulu
Department of Planning and Permitting.

Your Committee finds that indigenous Hawaiian architecture is
significant to Hawaiian history and culture. Your Committee finds
that utilizing indigenous native Hawaiian architecture for housing
will help to preserve the Hawaiian culture and provide communities
with low-cost housing alternatives using available local
resources. However, your Committee notes the concerns of the
Department of Agriculture regarding the safety, potential for
abuse, and unintended consequences of this measure and believes
this measure should, at this time, apply only to Hawaiian home
lands with the intent to ensure that indigenous native Hawaiian
architecture be permitted for agricultural purposes, including
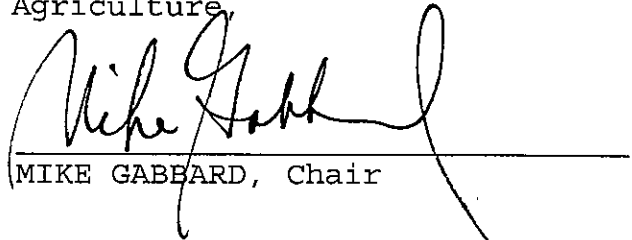farmer housing.

2016-1499 SSCR SMA.doc

Your Committee has therefore amended this measure by:

(1)   Deleting language that would have required each county to adopt ordinances to allow indigenous native Hawaiian architectural practices, styles, customs, techniques, and materials in the county's building code on land that is used for farming operations as defined in section 165-2, Hawaii Revised Statutes;

(2)   Deleting language that would have allowed in agricultural districts indigenous Hawaiian architecture to be constructed and used to support agricultural activities or indigenous Hawaiian architecture used for farm worker housing;

(3)   Inserting language to require the Department of Hawaiian Home Lands to adopt rules to allow for indigenous native Hawaiian architectural practices on subsistence agricultural lots to be used for agricultural purposes, including for use as farmer housing;

(4)   Amending section 1 to reflect the amended purpose; and

(5)   Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2946, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2946, S.D. 2.

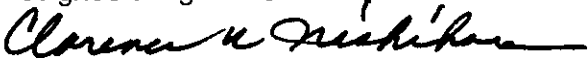Respectfully submitted on behalf of the members of the Committee on Water, Land, and Agriculture,

MIKE GABBARD, Chair

The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Water, Land, and Agriculture
WLA

Bill / Resolution No.:*	Committee Referral:	Date:
SB2946,SD1	HWN, WLA	02-29-16

☐ The Committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to:_____

The Recommendation is:

☐ Pass, unamended 2312   ☑ Pass, with amendments 2311   ☐ Hold 2310   ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
NISHIHARA, Clarence K. (VC)	✓			
DELA CRUZ, Donovan M.				✓
RIVIERE, Gil	✓			
RUDERMAN, Russell E.				✓
SHIMABUKURO, Maile S.L.	✓			
THIELEN, Laura H.	✓			
WAKAI, Glenn				✓
SLOM, Sam				✓
TOTAL	5			4

Recommendation:

☑ Adopted   ☐ Not Adopted

Chair's or Designee's Signature:

Clarence K Nishihara

*Only one measure per Record of Votes