

STAND. COM. REP. NO.

650

Honolulu, Hawaii

FEB 17 , 2023

RE: H.B. No. 995  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 995 entitled:

"A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the Land Use Commission to designate county Important Agricultural Lands and adopt county maps through rulemaking, rather than through a contested case hearing; and
- (2) Repeal statutory provisions that potentially hindered Important Agricultural Land designations by imposing greater farm dwelling restrictions on those lands.

Your Committee received testimony in support of this measure from the Chief Housing Officer of the Office of the Governor; Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; Department of Planning and Permitting of the City and County of Honolulu; and two individuals. Your Committee received comments on this measure from the Department of Agriculture and Hawai'i Farm Bureau.



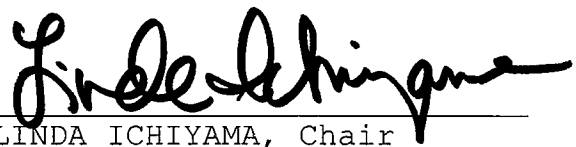
Your Committee finds that the Land Use Commission is currently required to make any decision regarding the designation of Important Agricultural Lands pursuant to a county petition based on written findings of fact and conclusions of law presented in a contested case hearing. This process can impact potentially hundreds of parties on an island-wide or regional scale. Your Committee further finds that allowing Important Agricultural Land designations to be decided through rulemaking will facilitate the designation of those lands and further promote agriculture self-sufficiency and agricultural diversification.

Your Committee has amended this measure by:

- (1) Restoring the statutory provisions that allow landowners whose agricultural lands are designated as Important Agricultural Lands to develop, construct, and maintain farm dwellings and employee housing on those lands, as the repeal and replacement of that incentive is being addressed in H.B. No. 996, which is moving through the legislative process;
- (2) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 995, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 995, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Water & Land,

  
LINDA ICHIYAMA, Chair



