

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 74
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 74, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish additional exclusions from the definition of "development" in chapter 205A, Hawaii Revised Statutes, to reduce the need for special management area permits for certain activities;
- (2) Repeal the seven thousand five hundred square foot threshold relating to the exclusion of single-family residences from the definition of "development"; and
- (3) Authorize the counties to further define single-family residence by ordinance for purposes of "development".

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, Hawai'i State Association of Counties, Office of the Mayor of the County of Maui, and one member of the Maui County Council.



Your Committee finds that the current statutory definition of "development" is broad and can result in a special management area use permit review being needed for projects that may not warrant the economic burdens of the rising costs of labor, building materials, and delays that accompany it. Your Committee further finds that the expansion of exclusions from the definition of "development" in existing law will ultimately help facilitate projects that are intended to preserve and protect Hawai'i's natural and cultural resources. This measure will assist in expediting the special management area permits process to avoid the increasing costs of labor and materials. Additionally, this measure will also advance the timely approval of significant projects, including the improvements of pedestrian and bicycling infrastructure, environmental and wildlife protection, and security at public facilities.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 74, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

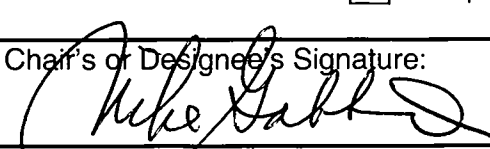


KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

**Record of Votes
 Committee on Judiciary
 JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 74 JDI	WTL, JDC	2/23/23		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes