

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 789

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. 789 entitled:

"A BILL FOR AN ACT RELATING TO FARM DWELLINGS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit the construction of new farm dwellings on agricultural park lots beginning January 1, 2024; and
- (2) Prohibit residence within an unpermitted farm dwelling and authorize inspections for enforcement.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from Hydroponics Alternatives LLC and two individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that Hawai'i communities are suffering from various difficulties, including health and safety issues, caused by farm dwellings on agricultural park lots. Furthermore, your Committee recognizes that the concerns about farm dwellings stemming from their residential use are not only arising from community residents, but from farmers and ranchers as well. Your Committee believes that the well-being of the State's local citizens is of paramount importance, therefore, this measure aims



to address dust, noise pollution, and other nuisances caused by the inappropriate usage of farm dwellings by authorizing comprehensive evaluations for current farm dwellings and establishing a date where new farm dwellings shall not be constructed on any agricultural park lot.

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. 789 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.:* SB 789	Committee Referral: AEN, JDC	Date: 2/24/23
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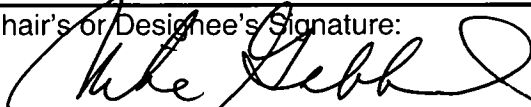
The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

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

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes