

Honolulu, Hawaii

APR 06 2023

RE: H.B. No. 676
H.D. 1
S.D. 2

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 H.B. No. 676, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DISTRICT BOUNDARY AMENDMENTS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the appropriate county land use decision-making authority to determine district boundary amendments involving land areas over fifteen acres, except lands that are designated as important agricultural land or lands where the soil is classified by the Land Study Bureau's detailed land classification as overall (master) productivity class A or B, if the county has adopted an ordinance that meets certain requirements.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Housing and Community Development of the County of Hawai'i, Hawai'i Association of REALTORS, and Maui Chamber of Commerce. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs and Hawai'i Alliance for Progressive Action. Your Committee received comments on this measure from the Land Use Commission, Sierra Club of Hawai'i, and the Grassroot Institute of Hawaii.



Your Committee finds that the counties are responsible for determining district boundary amendments involving land areas of fifteen acres or less and not within the conservation district. Your Committee further finds that district boundary amendments involving lands in the conservation district, land areas greater than fifteen acres, and lands delineated as important agricultural lands are processed by the Land Use Commission through a quasi-judicial process. Your Committee believes that a change to this system of district boundary amendment approvals for certain larger parcels of land will provide the counties with greater flexibility to meet the needs of their communities while also requiring the counties to consider broader, secondary impacts, including impacts on state and county infrastructure, and opportunities to provide housing.

Your Committee has amended this measure by specifying that the appropriate county land use decision-making authority may determine district boundary amendments involving land areas over fifteen acres but not over thirty acres, except lands that are designated as important agricultural land or lands where the soil is classified by the Land Study Bureau's detailed land classification as overall (master) productivity class A or B, if the county has adopted an ordinance that meets certain requirements.

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 H.B. No. 676, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 676, H.D. 1, S.D. 2.

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



KARL RHOADS, Chair



