

Honolulu, Hawaii

FEB 14 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 Agriculture and Environment, 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 nine individuals. Your Committee received testimony in opposition to this measure from four individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the emergence of farm dwellings on agricultural park lots has contributed to community complaints concerning dust, noise pollution, and other nuisances arising from the residential use of farm dwellings, particularly on Maui. This measure therefore prohibits construction of any new farm dwellings on agricultural park lots beginning January 1, 2024; prohibits the residence within any unpermitted farm dwelling on agricultural park lots; and authorizes inspections for enforcement.



As affirmed by the record of votes of the members of your Committee on Agriculture and Environment 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 Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Agriculture and
Environment,



MIKE GABBARD, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* SB 789	Committee Referral: AEN, JDC	Date: 02-08-23
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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
GABBARD, Mike (C)	X			
RICHARDS, III, Herbert M. "Tim" (VC)	X			
DECOITE, Lynn	X			
RHOADS, Karl	X			
AWA, Brenton	X			
TOTAL	5			

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes