

STAND. COM. REP. NO.

303

Honolulu, Hawaii

FEB 10

, 2025

RE: H.B. No. 502

H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Water & Land, to which was referred H.B. No. 502 entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

begs leave to report as follows:

The purpose of this measure is to temporarily allow each county to petition for the redistricting of land from an agricultural district to a rural district through the Land Use Commission's declaratory ruling process.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council; Hawai'i Association of REALTORS; Hawai'i Farm Bureau; Hawai'i Farmers Union. Your Committee received comments on this measure from the Department of the Attorney General; Department of Agriculture; Office of Planning and Sustainable Development; and Land Use Commission.

Your Committee finds that there are small lot subdivisions within agricultural districts in each county that may be more appropriately placed within rural districts. Your Committee further finds that these lots were originally created for speculative purposes prior to 1961 and currently inhibit the ability of the counties to ensure appropriate use of lands within agricultural districts. Your Committee believes that providing the counties with a time-limited opportunity to petition the Land

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Use Commission to issue a declaratory ruling to reclassify these lands will better enable the State and counties to separate non-farm residential uses from bona fide farming to reduce pressure on the State's limited productive agricultural lands.

Your Committee has amended this measure by:

- (1) Excluding important agricultural lands from the redistricting process;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it deliberate on this measure, to consider whether a requirement should be added to consider the agricultural viability, which may be measured by soil productivity rating, of the agricultural lands that could be redistricted using the process proposed by this measure.

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. 502, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 502, 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,



MARK J. HASHEM, Chair



