STAND. COM. REP. NO. 712-08

Honolulu, Hawaii **FC 28**, 2008 RE: H.B. No. 2243 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Sir:

Your Committee on Water, Land, Ocean Resources & Hawaiian Affairs, to which was referred H.B. No. 2243 entitled:

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

begs leave to report as follows:

The purpose of this bill is to provide that a zoning ordinance adopted by the county is not invalidated by a reclassification of land pursuant to the state land use laws, if the uses allowed under the zoning ordinance are permissible uses under the new classification.

The Council Chair of the Maui County Council, Dowling Company, Inc., Hanohano LLC, and Hawaii Building and Construction Trades Council, AFL-CIO, testified in support of this bill. The Office of Planning supported the intent of this measure. The City and County of Honolulu Department of Planning and Permitting provided comments.

Your Committee has amended this bill by:

(1) Specifying that only zoning ordinances adopted prior to January 1, 1980, cannot be invalidated by a reclassification of the state land use designation, if the use under the zoning ordinance is a permissible use under the reclassification;



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- (2) Moving the statutory provisions from Chapter 46, Hawaii Revised Statutes (HRS), relating to county zoning powers, to Chapter 205, HRS, relating to state land use laws;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, Ocean Resources & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2243, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2243, H.D. 1, and be placed on the calendar for Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Water, Land, Ocean Resources & Hawaiian Affairs,

KEN ITO, Chair



State of Hawaii House of Representatives The Twenty-fourth Legislature

HISCR 712-08

Record of Votes of the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

Bill/Resolution No.:	Committee Referral:	Date:	2/15	105
WIN WIN				
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) 				
WLH Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)				
2. KARAMATSU, Jon Riki (VC)				
3. CARROLL, Mele				
4. MAGAOAY, Michael Y.				
5. MORITA, Hermina M.				
6. SAGUM, Roland D., III				
7. SAIKI, Scott K.				
8. THIELEN, Cynthia				
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TOTAL (8)	4	2	Ì	l
The recommendation is: Adopted Not Adopted If joint referral,				
(A,A)(
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office				