
A BILL FOR AN ACT

RELATING TO AGRICULTURAL LANDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Notwithstanding section 205-49, Hawaii Revised
2 Statutes, or any provision of part III of chapter 205, Hawaii
3 Revised Statutes, to the contrary, the legislature may designate
4 important agricultural lands if it determines that the
5 designation is necessary to conserve and protect agricultural
6 lands, promote diversified agriculture, increase agricultural
7 self-sufficiency, or ensure the availability of agriculturally
8 suitable lands.

9 The designation of important agricultural lands shall be by
10 concurrent resolution, adopted by majority vote of the senate
11 and the house of representatives, and shall include:

- 12 (1) Tax map keys of the lands to be designated;
- 13 (2) Legislative finding of qualification for designation
14 pursuant to section 205-44, Hawaii Revised Statutes;
15 and
- 16 (3) Legislative finding that the designation is consistent
17 with the state plan and the general, development, and



1 community plans of the county wherein the land is
2 situated.

3 Upon the adoption of the concurrent resolution designating
4 important agricultural lands pursuant to this section, the land
5 use commission shall designate the lands as important
6 agricultural lands.

7 SECTION 2. Act 183, Session Laws of Hawaii 2005, section
8 9, is amended by amending subsection (a) to read as follows:

9 "(a) It is the intent of this Act:

10 (1) That agricultural incentive programs to promote
11 agricultural viability, sustained growth of the
12 agricultural industry, and the long-term use and
13 protection of important agricultural lands for
14 agricultural use shall be developed concurrently with
15 the process of identifying important agricultural
16 lands as required under section 2 of this Act; and

17 (2) That, except for the designation of important
18 agricultural lands by the legislature pursuant to
19 section 1 of Act , Session Laws of Hawaii 2008, the
20 designation of important agricultural lands and
21 adoption of maps by the land use commission pursuant
22 to section 2 of this Act shall take effect only upon



1 the enactment of legislation establishing incentives
2 and protections for important agricultural lands
3 contemplated by section [~~205-F~~] 205-46, Hawaii Revised
4 Statutes, and shall be satisfied by:

5 (A) Providing a declaration of satisfaction within
6 the Act that establishes incentives for important
7 agricultural lands; or

8 (B) Having the legislature adopt a concurrent
9 resolution declaring the satisfaction of
10 implementing incentives for important
11 agricultural lands by identifying the specific
12 measures or Acts that establish incentives for
13 important agricultural lands."

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. In printing this Act, the revisor of statutes
17 shall insert the appropriate number of this Act in section 2 of
18 this Act.

19 SECTION 5. This Act shall take effect upon its approval;
20 provided that section 1 of this Act shall be repealed upon the
21 satisfactory enactment of incentives for important agricultural
22 lands pursuant to section 9 of Act 183, Session Laws of Hawaii

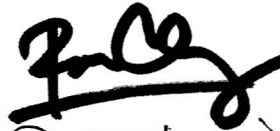


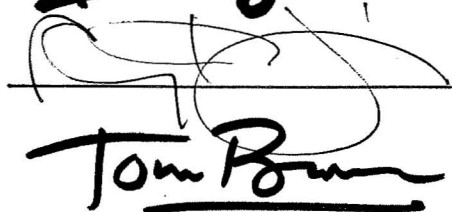

1 2005; and provided further that, upon the repeal of section 1,
2 lands designated as important agricultural lands pursuant to
3 section 1 shall be designated as important agricultural lands
4 pursuant to part III of chapter 205, Hawaii Revised Statutes.
5

INTRODUCED BY:







JAN 15 2008



Report Title:

Agriculture; Important Agricultural Lands

Description:

Allows the designation of important agricultural lands by concurrent resolution of the legislature.

