



GOV. MSG. NO. 766

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

May 29, 2008

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on May 29, 2008, the following bill was signed into law:

HB2450 HD1 SD2 CD1

A BILL FOR AN ACT RELATING TO LAND USE.
(ACT 124)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

Approved by the Governor
on MAY 29 2008

HOUSE OF REPRESENTATIVES
TWENTY-FOURTH LEGISLATURE, 2008
STATE OF HAWAII

ACT 124
H.B. NO. 2450
H.D. 1
S.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO LAND USE.

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

1 SECTION 1. Chapter 205, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§205- Reclassification of land contiguous to an
5 agricultural district; approval conditions. (a) Any decision
6 approving a petition for a boundary amendment pursuant to this
7 chapter where lands in the petition area are contiguous or
8 adjacent to lands in the agricultural district, shall include
9 the following conditions in the decision granting approval:

10 (1) A prohibition on any action that would interfere with
11 or restrain farming operations; provided the farming
12 operations are conducted in a manner consistent with
13 generally accepted agricultural and management
14 practices on adjacent or contiguous lands in the
15 agricultural district; and

16 (2) Notification to all prospective developers or
17 purchasers of land or interest in land in the petition
18 area and subsequent notification to lessees or tenants



1 of the land, that farming operations and practices on
2 adjacent or contiguous land in the agricultural
3 district are protected under chapter 165, the Hawaii
4 right to farm act, and that the notice shall be
5 included in any disclosure required for the sale or
6 transfer of real property or any interest in real
7 property.

8 (b) For purposes of this section, "farming operation"
9 shall have the same meaning as provided in section 165-2."

10 SECTION 2. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun, before its effective date.

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act shall take effect upon its approval.

APPROVED this 29 day of MAY, 2008



GOVERNOR OF THE STATE OF HAWAII

