

JAN 19 2007

A BILL FOR AN ACT

RELATING TO AGRICULTURAL LANDS.

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

1 SECTION 1. In 2005, the legislature enacted Act 183,
2 Session Laws of Hawaii 2005, implementing article XI, section 3,
3 of the state constitution regarding important agricultural lands
4 by establishing policies and procedures for the identification
5 of important agricultural lands and providing for a process to
6 develop protection and incentive measures for important
7 agricultural lands and agricultural viability.

8 The purpose of this Act is to establish a moratorium on
9 land reclassification and building on agricultural lands for
10 which general planning has not commenced until important
11 agricultural lands are designated.

12 SECTION 2. (a) Notwithstanding any law to the contrary,
13 until important agricultural lands have been designated pursuant
14 to Act 183, Session Laws of Hawaii 2005, there is established a
15 moratorium on:

16 (1) The land use commission reclassifying agricultural
17 districts to urban or rural districts; and



1 (2) Any building projects on agricultural lands;
2 provided that the moratorium on building projects on
3 agricultural lands shall be limited to any building project for
4 which general planning has not commenced, intended to effect
5 parcels of land in excess of twenty acres, and on agricultural
6 land with an overall (master) productivity rating of class A
7 or B.

8 (b) Once the important agricultural lands have been
9 designated following the legislative enactment of protection and
10 incentive measures for important agricultural lands and
11 agricultural viability, as provided in section 9, Act 183,
12 Session Laws of Hawaii 2005, the moratorium shall be lifted.

13 SECTION 3. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun, before its effective date.

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

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INTRODUCED BY:

Russell F. Foltz B/R



Report Title:

Moratorium; Land Reclassification; Building

Description:

Establishes a moratorium on land reclassification and building on agricultural lands for which general planning has not commenced until important agricultural lands are designated.

