

JAN 25 2010

A BILL FOR AN ACT

RELATING TO AGRICULTURAL LANDS.

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

1 SECTION 1. The legislature finds that the State's land use
2 law was enacted to "preserve and protect land best suited for .
3 . . . agricultural purposes and to facilitate sound and economical
4 urban development" (Senate Stand. Com. Rep. No. 580; 1961 Senate
5 Journal). Since that time, lands classified by the land study
6 bureau as class A and class B lands, the lands most suited for
7 intensive agricultural use, have declined from 359,690 acres
8 (class A, 125,160 acres; class B, 234,530 acres) in 1960 to
9 172,094 acres (class A, 56,653 acres; class B, 115,441 acres) in
10 2007. These agricultural lands are a resource that cannot be
11 replaced once they are lost to development.

12 The inventory of lands that are suitable for agriculture is
13 essentially fixed. Agricultural lands cannot be manufactured
14 when the demand for the lands increases. In 1960, the land
15 study bureau estimated that there were nearly 360,000 acres of
16 class A and B lands on the six major islands. These were the
17 lands upon which the State depended for profitable, competitive
18 agricultural production. By 2007, the inventory of class A and



1 B lands had declined to slightly more than 172,000 acres. Thus,
2 it is more important than ever to conserve Hawai'i's most
3 productive agricultural lands, especially in counties with a
4 population of over 500,000 residents.

5 The purpose of this Act is to carry out the mandate of
6 article XI, section 3, of the Hawai'i constitution to conserve
7 and protect agricultural lands and assure availability of
8 agriculturally suitable lands in counties with a population of
9 over 500,000 residents.

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

13 "§205- _____ Designation of important agricultural lands by
14 the legislature. (a) The legislature may designate lands with
15 soil classified by the land study bureau's detailed land
16 classification as overall (master) productivity rating class A
17 or B that are irrigated or have sufficient quantities of water
18 to produce sustained high yields of crops as important
19 agricultural lands, where the legislature finds that the
20 designation is necessary to protect agricultural lands, to
21 promote diversified agriculture, or to control future growth,
22 development, and land use.



S.B. NO. 2781

1 (b) The designation shall be by concurrent resolution
 2 adopted by a majority vote of both the houses of the legislature
 3 in any regular or special session and shall contain:

- 4 (1) The tax map key numbers of the land to be classified;
 5 and
 6 (2) Demonstrable proof of qualification for designation
 7 under section 205-44."

8 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:

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Report Title:

Relating to Agricultural Lands

Description:

Allows designation of important agricultural lands by the legislature.

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