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# A BILL FOR AN ACT

RELATING TO LAND USE.

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

1           SECTION 1. The legislature finds that land used for crops  
2 cultivated for biofuel production may be competing with  
3 important agricultural lands used for consumable crops. Article  
4 XI, section 3 of the Hawaii State Constitution requires the  
5 State to conserve and protect important agricultural lands and  
6 increase agricultural self-sufficiency. Part III of chapter  
7 205, Hawaii Revised Statutes, provides for the designation of  
8 important agricultural lands. Specifically, section 205-43,  
9 Hawaii Revised Statutes, provides, among other things, that  
10 state and county agricultural policies, tax policies, land use  
11 plans, ordinances, and rules shall promote the long-term  
12 viability of agricultural use of important agricultural lands.  
13 Section 205-43(3), Hawaii Revised Statutes, further provides  
14 that the State and counties direct nonagricultural uses and  
15 activities from important agricultural lands to other areas and  
16 ensure that uses on important agricultural lands are actually  
17 agricultural uses.



1           The legislature finds that agricultural classified lands  
2 used for biofuel production should not diminish important  
3 agricultural lands used for food production.

4           The legislature further finds that the creation of a  
5 temporary task force to study the issue of classification of  
6 agricultural lands, including important agricultural lands, is  
7 necessary to make recommendations for possible statutory  
8 amendments to promote and protect important agricultural lands  
9 for food production.

10          The purpose of this Act is to create a temporary task force  
11 to study existing land use laws and agricultural lands  
12 classification, including important agricultural lands  
13 designation.

14          SECTION 2. (a) There is created an advisory task force on  
15 the preservation of important agricultural lands. The task  
16 force shall be under the department of business, economic  
17 development, and tourism for administrative purposes. Members  
18 of the task force shall serve without compensation and without  
19 reimbursement for expenses.

20          (b) Members of the advisory task force on the preservation  
21 of important agricultural lands shall include:



- 1 (1) One state senator, to be selected by the president of  
2 the senate, and one state representative, to be  
3 selected by the speaker of the house of  
4 representatives;
- 5 (2) The chairperson of the board of agriculture and the  
6 director of business, economic development, and  
7 tourism, or the chairperson's or director's respective  
8 designees, to serve as co-chairs;
- 9 (3) The director of the office of planning, or the  
10 director's designee;
- 11 (4) The chairperson of the land use commission, or the  
12 chairperson's designee;
- 13 (5) Representatives of appropriate county agencies  
14 involved with land use or permitting functions, as  
15 designated by the co-chairs of the task force;
- 16 (6) Representatives of various nonprofit entities focused  
17 on issues relating to agriculture, economic  
18 development, renewable energy, and land use, as  
19 designated by the co-chairs of the task force; and
- 20 (7) Academic researchers and legal experts in the field of  
21 land use classification, as designated by the co-  
22 chairs of the task force.



1 (c) The advisory task force on the preservation of  
2 important agricultural lands shall study and make  
3 recommendations to the legislature on the following issues:

4 (1) Whether existing law relating to land use  
5 classifications into urban, rural, agricultural, and  
6 conservation districts should be amended to account  
7 for the present-day demand for agricultural self-  
8 sufficiency and the preservation and promotion of  
9 important agricultural lands, particularly as these  
10 important agricultural lands are being used for  
11 biofuel production;

12 (2) Whether land that is classified as urban or rural may  
13 be suitable for cultivating crops appropriate for  
14 biofuel production; and

15 (3) Whether important agricultural lands should be used  
16 for biofuel production.

17 (d) The advisory task force on the preservation of  
18 important agricultural lands shall report to the legislature no  
19 later than twenty days prior to the convening of the regular  
20 session of 2012 on its findings and recommendations, including  
21 proposed legislation and administrative rule changes, then be  
22 dissolved.



1 SECTION 3. This Act shall take effect upon its approval.

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**Report Title:**

Land Use; Important Agricultural Lands; Task Force; Report

**Description:**

Creates a temporary task force to study and report to the legislature on agricultural land classification, existing land use laws, and appropriate uses of important agricultural lands. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

