
A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1 SECTION 1. Section 166-11, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§166-11[+] Lease negotiation. (a) The department of
4 agriculture may negotiate and enter into leases with any person
5 who:

6 (1) As of July 1, 1996, holds a revocable permit for
7 agricultural purposes; or

8 (2) Has formerly held an agricultural lease which expired
9 within the last ten years preceding July 1, 1996, and
10 has continued to occupy the state land; and

11 (3) Does not own agriculturally-zoned land of twenty-five
12 acres or more in the State, individually or jointly
13 with a spouse, or whose spouse does not own twenty-
14 five acres or more of agriculturally-zoned land in the
15 State.

16 (b) The land eligible for lease negotiations under this
17 section are limited to those lands:

18 (1) Zoned and used for agricultural purposes;



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- 1 (2) Set aside by governor's executive order to the
2 department of agriculture for agricultural uses only;
3 and
4 (3) Not needed by any state or county agency for any other
5 public purpose.
6 (c) In negotiating and executing a lease as authorized,
7 the board of agriculture shall:
8 (1) Require the appraisal of the parcel to determine the
9 fair market value;
10 (2) Require the payment of annual lease rent based on the
11 fair market value established by appraisal;
12 (3) Require the payment of a premium, computed at twenty-
13 five per cent of the annual lease rent, with the
14 premium to be added to the annual lease rent for each
15 year of the lease equal to the number of years the
16 lessee has occupied the land, except that the premium
17 period shall not exceed four years; and
18 (4) Recover from the lessee the costs of expenditures
19 required by the department to convert the parcel into
20 leasehold.

21 Within six months from July 1, 1996, the department shall
22 notify in writing the permittees of lands eligible for lease



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1 negotiations under this section and shall inform the permittees
2 of the terms, conditions, and restrictions provided by this
3 section. Any permittee may apply for a lease; provided that the
4 application shall be submitted to the department in writing
5 within thirty days from the date of receipt of notification;
6 provided further that the department may require documentary
7 proof from any applicant to determine that the applicant meets
8 eligibility and qualification requirements for a lease as
9 specified by this section.

10 (d) All lands leased under this section shall be used to
11 produce food; provided that lands with soils classified by the
12 land study bureau's detailed land classification as overall
13 (master) productivity rating class C, D, E, or U may be used to
14 produce feedstock; provided further that any other agricultural
15 uses may be authorized if the department determines that such a
16 lease would support the State's policy of promoting the
17 production of food.

18 As used in this subsection, "food" means nutritious
19 agricultural produce suitable for human consumption, excluding
20 seed."

21 SECTION 2. Section 166E-11, Hawaii Revised Statutes, is
22 amended to read as follows:



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1 "[~~f~~]~~S~~166E-11[+] **Lease negotiation.** (a) The department
2 may negotiate and enter into leases with any person who:
3 (1) Holds a revocable permit for agricultural purposes;
4 (2) Has formerly held an agricultural lease or a holdover
5 lease of public land that expired within the last ten
6 years and has continued to occupy the land; or
7 (3) Is determined by the department to have a beneficial
8 impact on agriculture.
9 (b) Lands eligible for lease negotiations under this
10 section are limited to lands that are:
11 (1) Zoned and used for agricultural purposes;
12 (2) Set aside for agricultural uses only, by the governor
13 through an executive order to the department; and
14 (3) Not needed by any state or county agency for any other
15 public purpose.
16 (c) In negotiating and executing a lease as authorized,
17 the board shall:
18 (1) Require the appraisal of the parcel using standards of
19 national appraiser organizations to determine the
20 rental, including percentage rent;
21 (2) Require the payment of a premium, computed at twenty-
22 five per cent of the annual lease rent, with the



1 premium to be added to the annual lease rent for each
2 year of the lease equal to the number of years the
3 lessee has occupied the land, except that the premium
4 period shall not exceed four years; and

5 (3) Recover from the lessee the costs of expenditures
6 required by the department to convert the parcel into
7 leasehold.

8 The department shall notify in writing those eligible for
9 lease negotiations under this section and shall inform the
10 applicants of the terms, conditions, and restrictions provided
11 by this section. Any eligible person may apply for a lease by
12 submitting a written application to the department within thirty
13 days from the date of receipt of notification; provided that the
14 department may require documentary proof from any applicant to
15 determine that the applicant meets eligibility and qualification
16 requirements for a lease.

17 (d) All lands leased under this section shall be used to
18 produce food; provided that lands with soils classified by the
19 land study bureau's detailed land classification as overall
20 (master) productivity rating class C, D, E, or U may be used to
21 produce feedstock; provided further that any other agricultural
22 uses may be authorized if the department determines that such a



1 lease would support the State's policy of promoting the
2 production of food.

3 As used in this subsection, "food" means nutritious
4 agricultural produce suitable for human consumption, excluding
5 seed."

6 SECTION 3. Section 205-2, Hawaii Revised Statutes, is
7 amended by amending subsection (a) to read as follows:

8 "(a) There shall be [~~four~~] five major land use districts
9 in which all lands in the State shall be placed: urban, rural,
10 agricultural, agricultural - food, and conservation. The land
11 use commission shall group contiguous land areas suitable for
12 inclusion in one of these [~~four~~] five major districts. The
13 commission shall set standards for determining the boundaries of
14 each district, provided that:

15 (1) In the establishment of boundaries of urban districts
16 those lands that are now in urban use and a sufficient
17 reserve area for foreseeable urban growth shall be
18 included;

19 (2) In the establishment of boundaries for rural
20 districts, areas of land composed primarily of small
21 farms mixed with very low density residential lots,
22 which may be shown by a minimum density of not more



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1 than one house per one-half acre and a minimum lot
2 size of not less than one-half acre shall be included,
3 except as herein provided;

4 (3) In the establishment of the boundaries of agricultural
5 districts, the greatest possible protection shall be
6 given to those lands with a high capacity for
7 intensive cultivation; ~~and~~

8 (4) Lands within the boundaries of agricultural - food
9 districts shall be used only to grow nutritious
10 agricultural produce suitable for human consumption,
11 excluding seed; and

12 ~~(4)~~ (5) In the establishment of the boundaries of
13 conservation districts, the "forest and water reserve
14 zones" provided in Act 234, section 2, Session Laws of
15 Hawaii 1957, are renamed "conservation districts" and,
16 effective as of July 11, 1961, the boundaries of the
17 forest and water reserve zones theretofore established
18 pursuant to Act 234, section 2, Session Laws of Hawaii
19 1957, shall constitute the boundaries of the
20 conservation districts; provided that thereafter the
21 power to determine the boundaries of the conservation
22 districts shall be in the commission.



1 In establishing the boundaries of the districts in each county,
2 the commission shall give consideration to the master plan or
3 general plan of the county."

4 SECTION 4. Section 205-3.1, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) District boundary amendments involving lands in the
7 conservation district, agricultural - food district, land areas
8 greater than fifteen acres, or lands delineated as important
9 agricultural lands shall be processed by the land use commission
10 pursuant to section 205-4."

11 SECTION 5. Section 205-4, Hawaii Revised Statutes, is
12 amended by amending subsection (a) to read as follows:

13 "(a) Any department or agency of the State, any department
14 or agency of the county in which the land is situated, or any
15 person with a property interest in the land sought to be
16 reclassified, may petition the land use commission for a change
17 in the boundary of a district. This section applies to all
18 petitions for changes in district boundaries of lands within
19 conservation districts, agricultural - food districts, lands
20 designated or sought to be designated as important agricultural
21 lands, and lands greater than fifteen acres in the agricultural,
22 rural, and urban districts, except as provided in section 201H-



1 38. The land use commission shall adopt rules pursuant to
2 chapter 91 to implement section 201H-38."

3 SECTION 6. Section 205-4.5, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§205-4.5 Permissible uses within the agricultural and
6 agricultural - food districts. (a) Within the agricultural
7 district, all lands with soil classified by the land study
8 bureau's detailed land classification as overall (master)
9 productivity rating class other than A or B shall be restricted
10 to the following permitted uses:

- 11 (1) Cultivation of crops, including crops for bioenergy,
12 flowers, [~~vegetables~~] foliage, [~~fruits~~] forage, and
13 timber;
- 14 (2) Game and fish propagation;
- 15 (3) Raising of livestock, including poultry, bees, fish,
16 or other animal or aquatic life that are propagated
17 for economic or personal use;
- 18 (4) Farm dwellings, employee housing, farm buildings, or
19 activities or uses related to farming and animal
20 husbandry. "Farm dwelling", as used in this
21 paragraph, means a single-family dwelling located on
22 and used in connection with a farm, including clusters



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- 1 of single-family farm dwellings permitted within
2 agricultural parks developed by the State, or where
3 agricultural activity provides income to the family
4 occupying the dwelling;
- 5 (5) Public institutions and buildings that are necessary
6 for agricultural practices;
- 7 (6) Public and private open area types of recreational
8 uses, including day camps, picnic grounds, parks, and
9 riding stables, but not including dragstrips,
10 airports, drive-in theaters, golf courses, golf
11 driving ranges, country clubs, and overnight camps;
- 12 (7) Public, private, and quasi-public utility lines and
13 roadways, transformer stations, communications
14 equipment buildings, solid waste transfer stations,
15 major water storage tanks, and appurtenant small
16 buildings such as booster pumping stations, but not
17 including offices or yards for equipment, material,
18 vehicle storage, repair or maintenance, treatment
19 plants, corporation yards, or other similar
20 structures;
- 21 (8) Retention, restoration, rehabilitation, or improvement
22 of buildings or sites of historic or scenic interest;



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- 1 (9) Agricultural-based commercial operations as described
2 in section ~~[+]~~205-2(d)(15)~~[+]~~;
- 3 (10) Buildings and uses, including mills, storage, and
4 processing facilities, maintenance facilities,
5 photovoltaic, biogas, and other small-scale renewable
6 energy systems producing energy solely for use in the
7 agricultural activities of the fee or leasehold owner
8 of the property, and vehicle and equipment storage
9 areas that are normally considered directly accessory
10 to the above-mentioned uses and are permitted under
11 section 205-2(d);
- 12 ~~[(11) Agricultural parks;~~
- 13 ~~(12)]~~ (11) Plantation community subdivisions, which as used
14 in this chapter means an established subdivision or
15 cluster of employee housing, community buildings, and
16 agricultural support buildings on land currently or
17 formerly owned, leased, or operated by a sugar or
18 pineapple plantation; provided that the existing
19 structures may be used or rehabilitated for use, and
20 new employee housing and agricultural support
21 buildings may be allowed on land within the
22 subdivision as follows:



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- 1 (A) The employee housing is occupied by employees or
2 former employees of the plantation who have a
3 property interest in the land;
- 4 (B) The employee housing units not owned by their
5 occupants shall be rented or leased at affordable
6 rates for agricultural workers; or
- 7 (C) The agricultural support buildings shall be
8 rented or leased to agricultural business
9 operators or agricultural support services;
- 10 ~~(13) Agricultural tourism conducted on a working farm, or a~~
11 ~~farming operation as defined in section 165-2, for the~~
12 ~~enjoyment, education, or involvement of visitors,~~
13 ~~provided that the agricultural tourism activity is~~
14 ~~accessory and secondary to the principal agricultural~~
15 ~~use and does not interfere with surrounding farm~~
16 ~~operations; and provided further that this paragraph~~
17 ~~shall apply only to a county that has adopted~~
18 ~~ordinances regulating agricultural tourism under~~
19 ~~section 205-5;~~
- 20 ~~(14) Agricultural tourism activities, including overnight~~
21 ~~accommodations of twenty-one days or less, for any one~~
22 ~~stay within a county; provided that this paragraph~~



1 ~~shall apply only to a county that includes at least~~
2 ~~three islands and has adopted ordinances regulating~~
3 ~~agricultural tourism activities pursuant to section~~
4 ~~205-5; provided further that the agricultural tourism~~
5 ~~activities coexist with a bona fide agricultural~~
6 ~~activity. For the purposes of this paragraph, "bona~~
7 ~~fide agricultural activity" means a farming operation~~
8 ~~as defined in section 165-2;~~

9 ~~(15)]~~ (12) Wind energy facilities, including the
10 appurtenances associated with the production and
11 transmission of wind generated energy; provided that
12 the wind energy facilities and appurtenances are
13 compatible with agriculture uses and cause minimal
14 adverse impact on agricultural land;

15 ~~[(16)]~~ (13) Biofuel processing facilities, including the
16 appurtenances associated with the production and
17 refining of biofuels that is normally considered
18 directly accessory and secondary to the growing of the
19 energy feedstock; provided that biofuel processing
20 facilities and appurtenances do not adversely impact
21 agricultural land and other agricultural uses in the
22 vicinity.



1 For the purposes of this paragraph:

2 "Appurtenances" means operational infrastructure
3 of the appropriate type and scale for economic
4 commercial storage and distribution, and other similar
5 handling of feedstock, fuels, and other products of
6 biofuel processing facilities.

7 "Biofuel processing facility" means a facility
8 that produces liquid or gaseous fuels from organic
9 sources such as biomass crops, agricultural residues,
10 and oil crops, including palm, canola, soybean, and
11 waste cooking oils; grease; food wastes; and animal
12 residues and wastes that can be used to generate
13 energy;

14 [~~(17)~~] (14) Agricultural-energy facilities, including
15 appurtenances necessary for an agricultural-energy
16 enterprise; provided that the primary activity of the
17 agricultural-energy enterprise is agricultural
18 activity. To be considered the primary activity of an
19 agricultural-energy enterprise, the total acreage
20 devoted to agricultural activity shall be not less
21 than ninety per cent of the total acreage of the
22 agricultural-energy enterprise. The agricultural-



1 energy facility shall be limited to lands owned,
2 leased, licensed, or operated by the entity conducting
3 the agricultural activity.

4 As used in this paragraph:

5 "Agricultural activity" means any activity
6 described in paragraphs (1) to (3) of this subsection.

7 "Agricultural-energy enterprise" means an
8 enterprise that integrally incorporates an
9 agricultural activity with an agricultural-energy
10 facility.

11 "Agricultural-energy facility" means a facility
12 that generates, stores, or distributes renewable
13 energy as defined in section 269-91 or renewable fuel
14 including electrical or thermal energy or liquid or
15 gaseous fuels from products of agricultural activities
16 from agricultural lands located in the State.

17 "Appurtenances" means operational infrastructure
18 of the appropriate type and scale for the economic
19 commercial generation, storage, distribution, and
20 other similar handling of energy, including equipment,
21 feedstock, fuels, and other products of agricultural-
22 energy facilities;



1 [~~18~~] (15) Construction and operation of wireless
2 communication antennas; provided that, for the
3 purposes of this paragraph, "wireless communication
4 antenna" means communications equipment that is either
5 freestanding or placed upon or attached to an already
6 existing structure and that transmits and receives
7 electromagnetic radio signals used in the provision of
8 all types of wireless communications services;
9 provided further that nothing in this paragraph shall
10 be construed to permit the construction of any new
11 structure that is not deemed a permitted use under
12 this subsection;

13 [~~19~~] (16) Agricultural education programs conducted on a
14 farming operation as defined in section 165-2, for the
15 education and participation of the general public;
16 provided that the agricultural education programs are
17 accessory and secondary to the principal agricultural
18 use of the parcels or lots on which the agricultural
19 education programs are to occur and do not interfere
20 with surrounding farm operations. For the purposes of
21 this section, "agricultural education programs" means
22 activities or events designed to promote knowledge and



1 understanding of agricultural activities and practices
2 conducted on a farming operation as defined in section
3 165-2;

4 ~~[(20)]~~ (17) Solar energy facilities that do not occupy more
5 than ten per cent of the acreage of the parcel, or
6 twenty acres of land, whichever is lesser; provided
7 that this use shall not be permitted on lands with
8 soil classified by the land study bureau's detailed
9 land classification as overall (master) productivity
10 rating class A; or

11 ~~[(21)]~~ (18) Geothermal resources exploration and geothermal
12 resources development, as defined under section 182-1.

13 (b) Within the agricultural - food district, all lands
14 with soil classified by the land study bureau's detailed land
15 classification as overall (master) productivity rating class A
16 or B shall be restricted to the following permitted uses:

17 (1) The growth of nutritious agricultural produce suitable
18 for human consumption, excluding seed;

19 (2) Agricultural parks;

20 (3) Agricultural tourism conducted on a working farm, or a
21 farming operation as defined in section 165-2, for the
22 enjoyment, education, or involvement of visitors;



1 provided that the agricultural tourism activity is
2 accessory and secondary to the principal agricultural
3 use and does not interfere with surrounding farm
4 operations; and provided further that this paragraph
5 shall apply only to a county that has adopted
6 ordinances regulating agricultural tourism under
7 section 205-5; and

8 (4) Agricultural tourism activities, including overnight
9 accommodations of twenty-one days or less, for any one
10 stay within a county; provided that this paragraph
11 shall apply only to a county that includes at least
12 three islands and has adopted ordinances regulating
13 agricultural tourism activities pursuant to section
14 205-5; provided further that the agricultural tourism
15 activities coexist with a bona fide agricultural
16 activity. For the purposes of this paragraph, "bona
17 fide agricultural activity" means a farming operation
18 as defined in section 165-2.

19 ~~(b)~~ (c) Uses not expressly permitted in ~~[subsection]~~
20 subsections (a) and (b) shall be prohibited, except the uses
21 permitted as provided in sections 205-6 and 205-8, and
22 construction of single-family dwellings on lots existing before



1 June 4, 1976. Any other law to the contrary notwithstanding, no
2 subdivision of land within the agricultural district with soil
3 classified by the land study bureau's detailed land
4 classification as overall (master) productivity rating class A
5 or B shall be approved by a county unless those A and B lands
6 within the subdivision are made subject to the restriction on
7 uses as prescribed in this section and to the condition that the
8 uses shall be primarily in pursuit of an agricultural activity.

9 Any deed, lease, agreement of sale, mortgage, or other
10 instrument of conveyance covering any land within the
11 agricultural subdivision shall expressly contain the restriction
12 on uses and the condition, as prescribed in this section that
13 these restrictions and conditions shall be encumbrances running
14 with the land until such time that the land is reclassified to a
15 land use district other than agricultural district.

16 If the foregoing requirement of encumbrances running with
17 the land jeopardizes the owner or lessee in obtaining mortgage
18 financing from any of the mortgage lending agencies set forth in
19 the following paragraph, and the requirement is the sole reason
20 for failure to obtain mortgage financing, then the requirement
21 of encumbrances shall, insofar as such mortgage financing is
22 jeopardized, be conditionally waived by the appropriate county



1 enforcement officer; provided that the conditional waiver shall
2 become effective only in the event that the property is
3 subjected to foreclosure proceedings by the mortgage lender.

4 The mortgage lending agencies referred to in the preceding
5 paragraph are the Federal Housing Administration, Federal
6 National Mortgage Association, Veterans Administration, Small
7 Business Administration, United States Department of
8 Agriculture, Federal Land Bank of Berkeley, Federal Intermediate
9 Credit Bank of Berkeley, Berkeley Bank for Cooperatives, and any
10 other federal, state, or private mortgage lending agency
11 qualified to do business in Hawaii, and their respective
12 successors and assigns.

13 [~~(e)~~] (d) Within the agricultural district, all lands with
14 soil classified by the land study bureau's detailed land
15 classification as overall (master) productivity rating class C,
16 D, E, or U shall be restricted to the uses permitted for
17 agricultural districts as set forth in section 205-5(b).

18 [~~(d)~~] (e) Notwithstanding any other provision of this
19 chapter to the contrary, golf courses and golf driving ranges
20 approved by a county before July 1, 2005, for development within
21 the agricultural district shall be permitted uses within the
22 agricultural district.



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1 [~~(e)~~] (f) Notwithstanding any other provision of this
2 chapter to the contrary, plantation community subdivisions as
3 defined in this section shall be permitted uses within the
4 agricultural district, and section 205-8 shall not apply.

5 [~~+(f)+~~] (g) Notwithstanding any other law to the contrary,
6 agricultural lands may be subdivided and leased for the
7 agricultural uses or activities permitted in subsection (a);
8 provided that:

- 9 (1) The principal use of the leased land is agriculture;
- 10 (2) No permanent or temporary dwellings or farm dwellings,
11 including trailers and campers, are constructed on the
12 leased area. This restriction shall not prohibit the
13 construction of storage sheds, equipment sheds, or
14 other structures appropriate to the agricultural
15 activity carried on within the lot; and
- 16 (3) The lease term for a subdivided lot shall be for at
17 least as long as the greater of:
- 18 (A) The minimum real property tax agricultural
19 dedication period of the county in which the
20 subdivided lot is located; or
- 21 (B) Five years.



1 Lots created and leased pursuant to this section shall be legal
2 lots of record for mortgage lending purposes and shall be exempt
3 from county subdivision standards."

4 SECTION 7. Section 205-4.6, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "§205-4.6 **Private restrictions on agricultural uses and**
7 **activities; not allowed.** Agricultural uses and activities as
8 defined in sections 205-2(d) and 205-4.5(a) on lands classified
9 as agricultural and all uses and activities as described in
10 section 205-2(a)(4) shall not be restricted by any private
11 agreement contained in any deed, agreement of sale, or other
12 conveyance of land recorded in the bureau of conveyances after
13 July 8, 2003, that subject such agricultural lands to any
14 servitude, including but not limited to covenants, easements, or
15 equitable and reciprocal negative servitudes. Any such private
16 restriction limiting or prohibiting agricultural use or activity
17 shall be voidable, subject to special restrictions enacted by
18 the county ordinance pursuant to section 46-4; except that
19 restrictions taken to protect environmental or cultural
20 resources, agricultural leases, utility easements, and access
21 easements shall not be subject to this section.



1 For purposes of this section, "agricultural leases" means
2 leases where the leased land is primarily utilized for purposes
3 set forth in section 205-4.5(a)."

4 SECTION 8. Section 205-8, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§205-8 Nonconforming uses.** (a) The lawful use of land
7 or buildings existing on the date of establishment of any
8 interim agricultural district and rural district in final form
9 may be continued although the use, including lot size, does not
10 conform to this chapter; provided that no nonconforming building
11 shall be replaced, reconstructed, or enlarged or changed to
12 another nonconforming use and no nonconforming use of land shall
13 be expanded or changed to another nonconforming use. In
14 addition, if any nonconforming use of land or building is
15 discontinued or held in abeyance for a period of one year, the
16 further continuation of such use shall be prohibited.

17 (b) The lawful use of land, buildings, or other structures
18 on lands with soil classified by the land study bureau's
19 detailed land classification as overall (master) productivity
20 rating class A or B that existed on January 1, 2015, may be
21 continued although the use does not conform to this chapter;
22 provided that no nonconforming building or other structure shall



1 be replaced, reconstructed, or enlarged or changed to another
2 nonconforming use and no nonconforming use of land shall be
3 expanded or changed to another nonconforming use. In addition,
4 if any nonconforming use of land, building, or other structure
5 is discontinued or held in abeyance for a period of one year,
6 the further continuation of such use shall be prohibited."

7 SECTION 9. Section 205-17, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§205-17 Land use commission decision-making criteria.** In
10 its review of any petition for reclassification of district
11 boundaries pursuant to this chapter, the commission shall
12 specifically consider the following:

13 (1) The extent to which the proposed reclassification
14 conforms to the applicable goals, objectives, and
15 policies of the Hawaii state plan and relates to the
16 applicable priority guidelines of the Hawaii state
17 plan and the adopted functional plans;

18 (2) The extent to which the proposed reclassification
19 conforms to the applicable district standards;

20 (3) The impact of the proposed reclassification on the
21 following areas of state concern:



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- 1 (A) Preservation or maintenance of important natural
2 systems or habitats;
- 3 (B) Maintenance of valued cultural, historical, or
4 natural resources;
- 5 (C) Maintenance of other natural resources relevant
6 to Hawaii's economy, including agricultural
7 resources;
- 8 (D) Growth of nutritious agricultural produce
9 suitable for human consumption, excluding seed;
- 10 [~~(D)~~] (E) Commitment of state funds and resources;
- 11 [~~(E)~~] (F) Provision for employment opportunities and
12 economic development; and
- 13 [~~(F)~~] (G) Provision for housing opportunities for all
14 income groups, particularly the low, low-
15 moderate, and gap groups;
- 16 (4) The standards and criteria for the reclassification or
17 rezoning of important agricultural lands in section
18 205-50;
- 19 (5) The county general plan and all community,
20 development, or community development plans adopted
21 pursuant to the county general plan, as they relate to



1 the land that is the subject of the reclassification
2 petition; and

3 (6) The representations and commitments made by the
4 petitioner in securing a boundary change."

5 SECTION 10. Section 226-7, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§226-7 Objectives and policies for the economy--**

8 **agriculture.** (a) Planning for the State's economy with regard
9 to agriculture shall be directed towards achievement of the
10 following objectives:

11 (1) Growth of nutritious agricultural produce suitable for
12 human consumption, excluding seed.

13 [~~(1) Viability of Hawaii's sugar and pineapple industries.~~

14 ~~(2) Growth and development of diversified agriculture~~
15 ~~throughout the State.]~~

16 (2) Growth and development of diversified agriculture
17 throughout the State.

18 (3) Viability of Hawaii's sugar and pineapple industries.

19 [~~(3)] (4) An agriculture industry that continues to~~

20 constitute a dynamic and essential component of

21 Hawaii's strategic, economic, and social well-being.



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- 1 (b) To achieve the agriculture objectives, it shall be the
2 policy of this State to:
- 3 (1) Establish a clear direction for Hawaii's agriculture
4 through stakeholder commitment and advocacy.
- 5 (2) Encourage agriculture by making best use of natural
6 resources.
- 7 (3) Provide the governor and the legislature with
8 information and options needed for prudent decision-
9 making for the development of agriculture.
- 10 (4) Establish strong relationships between the
11 agricultural and visitor industries for mutual
12 marketing benefits.
- 13 (5) Foster increased public awareness and understanding of
14 the contributions and benefits of agriculture as a
15 major sector of Hawaii's economy.
- 16 (6) Seek the enactment and retention of federal and state
17 legislation that benefits Hawaii's agricultural
18 industries.
- 19 (7) Strengthen diversified agriculture by developing an
20 effective promotion, marketing, and distribution
21 system between Hawaii's food producers and consumers
22 in the State, nation, and world.



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- 1 (8) Support research and development activities that
2 strengthen economic productivity in agriculture,
3 stimulate greater efficiency, and enhance the
4 development of new products and agricultural by-
5 products.
- 6 (9) Enhance agricultural growth by providing public
7 incentives and encouraging private initiatives.
- 8 (10) Assure the availability of agriculturally suitable
9 lands with adequate water to accommodate present and
10 future needs.
- 11 (11) Increase the attractiveness and opportunities for an
12 agricultural education and livelihood.
- 13 (12) In addition to the State's priority on food, expand
14 Hawaii's agricultural base by promoting growth and
15 development of flowers, tropical fruits and plants,
16 livestock, feed grains, forestry, food crops,
17 aquaculture, and other potential enterprises.
- 18 (13) Promote economically competitive activities that
19 increase Hawaii's agricultural self-sufficiency,
20 including the increased purchase and use of Hawaii-
21 grown food and food products by residents, businesses,



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1 and governmental bodies as defined under section 103D-
2 104.

3 (14) Promote and assist in the establishment of sound
4 financial programs for diversified agriculture.

5 (15) Institute and support programs and activities to
6 assist the entry of displaced agricultural workers
7 into alternative agricultural or other employment.

8 (16) Facilitate the transition of agricultural lands in
9 economically nonfeasible agricultural production to
10 economically viable agricultural uses.

11 (17) Prioritize and promote the growth of nutritious
12 agricultural produce suitable for human consumption,
13 excluding seed."

14 SECTION 11. This Act does not affect rights and duties
15 that matured, penalties that were incurred, and proceedings that
16 were begun before its effective date.

17 SECTION 12. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 13. This Act shall take effect on January 1, 2015.

20

INTRODUCED BY:

[Handwritten signatures and initials]
A large signature is written over the line. Below it are several other signatures and initials, including "Tom Brown" and "Wise E. Linn".

HB HMS 2013-4374



JAN - 8 2014

H.B. NO. 1533

Report Title:

Food; Agricultural production.

Description:

Prioritizes and promotes the production of nutritious agricultural produce for human consumption, excluding seed. Effective January 1, 2015.

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

HB HMS 2013-4374

