A BILL FOR AN ACT

RELATING TO LAND USE.

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

- 1 SECTION 1. Article XI, section 3, of the state 2 constitution provides:
- 3 "Section 3. The State shall conserve and protect
- 4 agricultural lands, promote diversified agriculture, increase
- 5 agricultural self-sufficiency and assure the availability of
- 6 agriculturally suitable lands. The legislature shall provide
- 7 standards and criteria to accomplish the foregoing.
- 8 Lands identified by the State as important agricultural
- 9 lands needed to fulfill the purposes above shall not be
- 10 reclassified by the State or rezoned by its political
- 11 subdivisions without meeting the standards and criteria
- 12 established by the legislature and approved by a two-thirds vote
- 13 of the body responsible for the reclassification or rezoning
- 14 action."
- 15 Act 183, Session Laws of Hawaii 2005, established the
- 16 important agricultural lands program. Pursuant to section 205-
- 17 49, Hawaii Revised Statutes, the land use commission, following
- 18 the receipt of maps of eligible important agricultural lands
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- 1 from the counties and the recommendations of the department of
- 2 agriculture and the office of planning, shall identify and
- 3 designate important agricultural lands.
- 4 The purpose of this Act is to prohibit the reclassification
- 5 of any agricultural lands until the land use commission
- 6 identifies and designates important agricultural lands.
- 7 SECTION 2. The land use commission shall not accept, hear,
- 8 or act upon any petitions for the reclassification of any lands
- 9 presently in the agricultural district until after the land use
- 10 commission publishes a notice statewide as provided in section
- 11 1-28.5, Hawaii Revised Statutes, that it has, for the forseeable
- 12 future, completed the identification and designation of
- 13 important agricultural lands pursuant to section 205-49, Hawaii
- 14 Revised Statutes.
- 15 SECTION 3. This Act does not affect rights and duties that
- 16 matured, penalties that were incurred, and proceedings that were
- 17 begun, before its effective date.

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

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INTRODUCED BY:

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Report Title:

Land Use; Important Agricultural Lands

Description:

Prohibits reclassification of agricultural lands until important agricultural lands are designated.