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# A BILL FOR AN ACT

RELATING TO THE LAND CONSERVATION FUND.

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

1 SECTION 1. Section 173A-5, Hawaii Revised Statutes, is  
2 amended by amending subsection (g) to read as follows:

3 "(g) The fund shall be used for:

4 (1) The acquisition of interests or rights in land having  
5 value as a resource to the State, whether in fee title  
6 or through the establishment of permanent conservation  
7 easements under chapter 198[~~;~~and] or agricultural  
8 easements;

9 (2) The payment of any debt service on state financial  
10 instruments relating to the acquisition of interests  
11 or rights in land having value as a resource to the  
12 State; and

13 [~~+~~2] (3) Annual administration costs for the fund, not to  
14 exceed five per cent of annual fund revenues of the  
15 previous year."

16 SECTION 2. Section 198-1, Hawaii Revised Statutes, is  
17 amended to read as follows:



1           **"§198-1 Conservation easement defined.** For the purposes  
2 of this chapter, a "conservation easement" is an interest in  
3 real property created by deed, restrictions, covenants, or  
4 conditions, the purpose of which is to:

- 5           (1) Preserve and protect land predominantly in its  
6           natural, scenic, forested, or open-space condition;
- 7           (2) Preserve and protect the structural integrity and  
8           physical appearance of cultural landscapes, resources,  
9           and sites which perpetuate indigenous native Hawaiian  
10          culture; [~~or~~]
- 11          (3) Preserve and protect historic properties as defined in  
12          section 6E-2, and traditional and family  
13          cemeteries[~~or~~]; or
- 14          (4) Preserve and protect land for agricultural use."

15          SECTION 3. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17          SECTION 4. This Act shall take effect on July 1, 2007.



H.B. NO. 402  
H.D. 1  
S.D. 2  
C.D. 1

**Report Title:**

Land Conservation Fund; Debt Service; Agricultural Easements

**Description:**

Authorizes the use of the land conservation fund for the acquisition of conservation easements for the preservation and protection of land for agricultural use and agricultural easements and for the payment of debt service on bonds issued for acquisitions using the fund. (HB402 CD1)

