

JAN 21 2011

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 planning, 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 may need to be amended to
7 account for the present-day demand for agricultural
8 self-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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INTRODUCED BY:

Amid J. J. ...
Clarence ...

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Report Title:

Land Use; Important Agricultural Lands; Task Force; Report

Description:

Creates a temporary task force to study agricultural land classification, considering existing land use laws and appropriate uses for important agricultural lands. Report to the legislature.

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

