

Resolution

No. 16-132

APPROVING FOR INCLUSION IN THE 2017 MAUI
COUNTY LEGISLATIVE PACKAGE A STATE BILL
RELATING TO IMPORTANT AGRICULTURAL LANDS

WHEREAS, Article XI, Section 3, of the Hawaii State Constitution establishes the State's duty to "conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands"; and

WHEREAS, to fulfill this duty, the State Legislature established the Important Agricultural Lands statute, Part III of Chapter 205, Hawaii Revised Statutes, by Act 183 (2005); and

WHEREAS, Section 205-47(a), Hawaii Revised Statutes, states: "Each county shall identify and map potential important agricultural lands within its jurisdiction . . ."; and

WHEREAS, Section 8 of Act 183 (2005) appropriated \$75,000 for Fiscal Year 2005-2006 to assist the counties with these activities; and

WHEREAS, the County of Kauai used the funding to develop a methodology to identify potential important agricultural lands on Kauai; and

WHEREAS, the counties have not received any further State funds to assist with their identification and mapping duties under the Important Agricultural Lands statute; and

WHEREAS, it is appropriate to allocate \$62,500 to each county for each of the next two fiscal years to assist with implementing the Important Agricultural Lands statute; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That the proposed State bill, attached as Exhibit "A," allocating \$250,000 to the counties in both Fiscal Year 2017-2018 and Fiscal Year 2018-2019, is approved for inclusion in the 2017 Maui County Legislative Package; and

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2. That certified copies of this resolution be transmitted to the Mayor, County of Maui; the Governor, State of Hawaii; the Senate President, State of Hawaii; and the Speaker of the House of Representatives, State of Hawaii.

pia:misc:004(2)areso06:kcw

A BILL FOR AN ACT

RELATING TO IMPORTANT AGRICULTURAL LANDS.

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

1 SECTION 1. Article XI, section 3 of the Hawaii State
2 Constitution establishes the State's duty to "conserve and
3 protect agricultural lands, promote diversified agriculture,
4 increase agricultural self-sufficiency and assure the
5 availability of agriculturally suitable lands" and provides
6 protections for lands identified as important agricultural
7 lands. In service of this duty, the legislature enacted Act
8 183, Session Laws of Hawaii 2005, which was codified in part III
9 of chapter 205, Hawaii Revised Statutes.

10 Act 183 directed each county to work with government and
11 community stakeholders to, within sixty months of receipt of
12 State funds for the purpose, identify and map potential
13 important agricultural lands within its jurisdiction and make
14 recommendations to the State Land Use Commission for the
15 designation of these lands as important agricultural
16 lands. Once designated, agricultural operations on important
17 agricultural lands are eligible for a variety of State and

EXHIBIT "A"

1 county assistance and incentive programs including grants and
2 other funding assistance, tax incentives, favorable
3 infrastructure and permit requirements, and farm and business
4 education assistance. The legislature finds that, to date, most
5 counties have not received State funds to assist with their
6 identification and mapping duties under Act 183.

7 The purpose of this Act is to implement Act 183 in
8 accordance with the State's constitutional duty to protect
9 important agricultural lands by providing funds to the counties
10 for the identification and mapping of important agricultural
11 lands.

12 SECTION 2. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$250,000, or so much
14 thereof as may be necessary for fiscal year 2017-2018, and the
15 same sum or so much thereof as may be necessary for fiscal year
16 2018-2019, for grants-in-aid to the counties for the
17 identification and mapping of important agricultural lands
18 pursuant to section 205-47, Hawaii Revised Statutes, to be
19 allocated as follows:

- 20 (1) \$ 62,500 to the County of Hawaii;
21 (2) \$ 62,500 to the City and County of Honolulu;
22 (3) \$ 62,500 to the County of Kauai; and

____.B. NO. _____

1 (4) \$ 62,500 to the County of Maui.

2 The sums appropriated shall be expended by the department
3 of business, economic development, and tourism for the purposes
4 of this Act.

5 SECTION 3. This Act shall take effect on July 1, 2017.

INTRODUCED BY: _____

COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is **HEREBY CERTIFIED** that **RESOLUTION NO. 16-132** was adopted by the Council of the County of Maui, State of Hawaii, on the 7th day of October, 2016, by the following vote:

MEMBERS	Michael B. WHITE Chair	Donald S. GUZMAN Vice-Chair	Gladys C. BAISA	Robert CARROLL	Eleanora COCHRAN	Donald G. COUCH, JR.	S. Stacy CRIVELLO	G. Riki HOKAMA	Michael P. VICTORINO
ROLL CALL	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye


COUNTY CLERK