

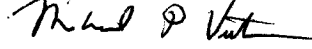
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August 30, 2016

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OFFICE OF THE
GOVERNMENT COUNCIL

MEMO TO: PIA-4(2) File

F R O M: Michael P. Victorino, Chair 
Policy and Intergovernmental Affairs Committee

SUBJECT: **TRANSMITTAL OF LEGISLATIVE PROPOSAL RELATING TO
2017 MAUI COUNTY LEGISLATIVE PACKAGE** (PAF 16-148)

The attached legislative proposal pertains to Item 4(2) on the Committee's agenda.

paf:kcw:16-148d

Attachment

Resolution

No. _____

APPROVING FOR INCLUSION IN THE 2017 MAUI COUNTY LEGISLATIVE PACKAGE A 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 provides protections for lands identified as important agricultural lands; and

WHEREAS, the State Legislature enacted Act 183 (2005) to provide for this duty, instructing the counties to identify and map their important agricultural lands; and

WHEREAS, Section 8 of Act 183 (2005) appropriated funding for grants-in-aid to the counties for these important agricultural lands activities; and

WHEREAS, to date, the counties have not received State funds to assist with their identification and mapping duties under Act 183 (2005); and

WHEREAS, it is appropriate to allocate funding of \$250,000 to the counties for each of the two coming fiscal years to assist with implementing Act 183 (2005), provided each county appropriates matching funds for the same purpose; 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 for fiscal years 2016-2017 and 2017-2018, provided each county appropriates matching funds for the same purpose, to assist in identifying and mapping duties under Act 183 (2005), is approved for inclusion in the 2017 Maui County Legislative Package; and

Resolution No. _____

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.

paf:kcw:16-148f

____.B. NO.____

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
18 county assistance and incentive programs including grants and

EXHIBIT "A"

____.B. NO. _____

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

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

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

- 19 (1) \$ 62,500 to the county of Hawaii;
20 (2) \$ 62,500 to the city and county of Honolulu;
21 (3) \$ 62,500 to the county of Kauai; and
22 (4) \$ 62,500 to the county of Maui.

____.B. NO. _____

1 The sums appropriated shall be expended by the department
2 of business, economic development, and tourism for the purposes
3 of this Act. To be eligible for receipt of the sum
4 appropriated, each county shall provide a matching amount for
5 the purposes of this Act in the applicable fiscal year.

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

INTRODUCED BY: _____

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