
A BILL FOR AN ACT

RELATING TO AGRICULTURAL LANDS.

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

1 SECTION 1. Act 90, Session Laws of Hawaii 2003, was
2 enacted to authorize the transfer of certain non-agricultural
3 park lands from the department of land and natural resources to
4 the department of agriculture. The legislature finds that many
5 lessees of large acreages of land, primarily farmers and
6 ranchers, have already been notified by the department of
7 agriculture that their land leases were to be transferred to and
8 managed by the department of agriculture. However, nearly
9 seventeen years later, the department of land and natural
10 resources has not yet transferred the lands.

11 The purpose of this Act is to:

- 12 (1) Clarify that agricultural activities on non-
13 agricultural park lands may include the care and
14 production of pasture lands; and
- 15 (2) Require the department of land and natural resources
16 to transfer certain non-agricultural park lands to the



- 1 department of agriculture as authorized by section
- 2 166E-3, Hawaii Revised Statutes;
- 3 (3) Require the department of land and natural resources
- 4 to accept and return to its land inventory any parcel,
- 5 or portion thereof, transferred pursuant to this Act
- 6 that the department of agriculture has determined to
- 7 be unsuitable or unnecessary for agricultural use;
- 8 (4) Require reports to the legislature on implementing the
- 9 land transfers, addressing concerns about stewardship,
- 10 and complying with the land transfers; and
- 11 (5) Appropriate funds.

12 SECTION 2. Section 166-2, Hawaii Revised Statutes, is
 13 amended by amending the definition of "agricultural activities"
 14 to read as follows:

15 "Agricultural activities" means the care and production of
 16 livestock, pasture lands, livestock products, poultry, or
 17 poultry products, or apiary, horticultural, or floricultural
 18 products, or the planting, cultivating, and harvesting of crops
 19 or trees, including tree farms."

20 SECTION 3. (a) No later than June 30, 2021, the board of
 21 land and natural resources shall transfer to the department of



1 agriculture, without limitation, lands of the following tax map
2 key numbers: (3) 1-2-008-001-0000, (3) 1-8-010-038-0000, (3) 1-
3 8-010-043-0000, (3) 1-8-010-044-0000, (3) 1-8-010-046-0000, (3)
4 2-3-030-001-0000, (3) 2-3-032-001-0000, (3) 2-4-004-012-0000,
5 (3) 2-4-004-013-0000, (3) 2-4-004-021-0000, (3) 2-4-004-022-
6 0000, (3) 2-4-005-001-0000, (3) 2-4-005-012-0000, (3) 2-4-006-
7 012-0000, (3) 2-4-006-013-0000, (3) 2-4-007-037-0000, (3) 2-4-
8 051-001-0000, (3) 2-6-018-001-0000, (3) 2-7-007-005-0000, (3) 2-
9 8-010-003-0000, (3) 3-5-001-001-0000, (3) 3-6-006-046-0000, (3)
10 4-1-004-031-0000, (3) 4-1-004-033-0000, (3) 4-1-006-002-0000,
11 (3) 4-1-006-004-0000, (3) 4-1-006-007-0000, (3) 4-2-007-002-
12 0000, (3) 4-2-008-002-0000, (3) 4-3-006-005-0000, (3) 4-3-010-
13 002-0000, (3) 4-3-010-008-0000, (3) 4-3-014-001-0000, (3) 4-4-
14 003-003-0000, (3) 4-4-003-047-0000, (3) 4-4-010-013-0000, (3) 4-
15 4-013-011-0000, (3) 4-4-014-002-0000, (3) 4-4-014-003-0000, (3)
16 4-4-014-004-0000, (3) 4-4-014-011-0000, (3) 4-5-001-007-0000,
17 (3) 4-5-001-013-0000, (3) 4-5-011-006-0000, (3) 4-5-011-007-
18 0000, (3) 5-5-003-005-0000, (3) 5-5-003-006-0000, (3) 5-5-003-
19 013-0000, (3) 5-5-003-014-0000, (3) 5-5-003-019-0000, (3) 5-5-
20 007-008-0000, (3) 5-5-007-009-0000, (3) 5-6-001-001-0000, (3) 5-
21 6-001-035-0000, (3) 5-7-001-004-0000, (3) 5-7-001-009-0000, (3)



1 5-7-001-010-0000, (3) 5-7-001-015-0000, (3) 5-8-001-002-0000,
2 (3) 5-8-001-005-0000, (3) 5-8-001-006-0000, (3) 5-8-002-003-
3 0000, (3) 5-8-002-005-0000, (3) 5-8-002-006-0000, (3) 5-8-003-
4 007-0000, (3) 6-2-001-003-0000, (3) 6-2-001-005-0000, (3) 6-2-
5 001-011-0000, (3) 6-2-001-015-0000, (3) 6-4-001-057-0000, (3) 6-
6 4-031-007-0000, (3) 6-4-031-009-0000, (3) 6-4-031-010-0000, (3)
7 6-5-001-006-0000, (3) 6-5-001-020-0000, (3) 6-6-001-002-0000,
8 (3) 6-6-001-077-0000, (3) 6-6-006-002-0000, (3) 6-6-006-003-
9 0000, (3) 6-6-006-004-0000, (3) 6-6-006-005-0000, (3) 7-2-004-
10 004-0000, (3) 7-5-010-016-0000, (3) 7-2-006-017-0000, (3) 8-6-
11 001-003-0000, (3) 8-7-001-014-0000, (3) 8-7-004-005-0000, (3) 8-
12 7-004-007-0000, (3) 8-7-004-008-0000, (3) 8-7-004-009-0000, (3)
13 8-7-004-010-0000, (3) 9-3-003-035-0000, (3) 9-3-003-036-0000,
14 (3) 9-5-005-003-0000, (3) 9-5-006-001-0000, (3) 9-5-012-002-
15 0000, (3) 9-5-012-018-0000, (3) 9-5-012-019-0000, (3) 9-5-012-
16 020-0000, (3) 9-5-013-001-0000, (3) 9-5-019-001-0000, (3) 9-5-
17 019-002-0000, (3) 9-5-019-017-0000, (3) 9-6-002-005-0000, (3) 9-
18 6-002-010-0000, (3) 9-6-002-013-0000, (3) 9-6-011-002-5000, (3)
19 9-6-012-004-0000, (3) 9-8-001-002-0000, (3) 9-8-001-003-0000,
20 (3) 9-8-001-006-0000, (3) 9-8-001-009-0000, (3) 9-8-001-010-
21 0000, and (3) 9-8-001-013-0000.



1 (b) Upon mutual agreement and approval of the board of
2 agriculture and the board of land and natural resources, certain
3 assets, including position counts, related to the management of
4 existing non-agricultural park lands transferred by this Act and
5 related facilities shall be transferred from the department of
6 land and natural resources to the department of agriculture.

7 (c) Lands transferred pursuant to this Act shall be:

- 8 (1) Included in and subject to the requirements of the
9 program established pursuant to section 166E-3(b),
10 Hawaii Revised Statutes;
- 11 (2) Subject to section 166E-3(c), Hawaii Revised Statutes;
12 and
- 13 (3) Subject to return to the department of natural
14 resources upon a determination by the department of
15 agriculture that any parcel, or portion thereof, is
16 unsuitable or unnecessary for agricultural use;
17 provided that upon return of any parcel, or portion
18 thereof, pursuant to this Act, the department of land
19 and natural resources shall withdraw and return those
20 parcels or portions thereof into its state land
21 inventory.



1 (d) The department of land and natural resources and
2 department of agriculture shall jointly submit reports to the
3 legislature no later than December 31, 2021, with
4 recommendations on:

5 (1) How the transfer of lands from the department of land
6 and natural resources to the department of agriculture
7 can be implemented by the end of the following
8 calendar year; and

9 (2) Addressing concerns about stewardship by having the
10 department of agriculture:

11 (A) Consider whether a fee should be assessed
12 pursuant to a lease negotiated with a lessee upon
13 the transfer of lands, which would be used
14 specifically for a watershed management plan
15 utilizing the existing agriculture park special
16 fund; and

17 (B) Cooperate with the department of land and natural
18 resources to allow continued management and
19 stewardship of these important public trust lands
20 and agriculture lands.



1 (e) The department of land and natural resources and
2 department of agriculture shall jointly submit reports to the
3 legislature no later than twenty days prior to the convening of
4 the regular sessions of 2023 and 2024 on their efforts to comply
5 with this Act. The reports shall include:

6 (1) A list of all lands transferred pursuant to this Act;

7 (2) A list of all lands in subsection (a) that have not
8 been transferred to the department of agriculture and
9 an explanation of why each of those lands have not
10 been transferred; and

11 (3) Any proposed legislation.

12 SECTION 4. There is appropriated out of the non-
13 agricultural park lands special fund established pursuant to
14 section 166E-7, Hawaii Revised Statutes, the sum of \$
15 or so much thereof as may be necessary for fiscal year 2020-2021
16 for the purposes of section 3 of this Act.

17 The sum appropriated shall be expended by the department of
18 agriculture for the purposes of this Act; provided that upon
19 approval by the chairperson of the board of agriculture, funds
20 may be allocated to and expended by the department of land and
21 natural resources for the purposes of this Act.



1 SECTION 5. New statutory material is underscored.

2 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

HDOA; DLNR; Non-agricultural Park Lands; Land Transfer;
Deadline; Appropriation

Description:

Clarifies that agriculture activities in non-agricultural park lands may include the care and production of pasture lands. Requires the transfer of certain lands from the Department of Land and Natural Resources to the Department of Agriculture. Requires the Department of Land and Natural Resources to accept and return to its land inventory, any parcel or portion thereof, transferred pursuant to this Act that the Department of Agriculture has determined to be unsuitable or unnecessary for agricultural use. Requires reports to the Legislature on implementing the land transfers, addressing the concerns about stewardship, and compliance with the land transfers. Appropriates funds. Effective 7/1/2050. (SD2)

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

