A BILL FOR AN ACT

RELATING TO SUSTAINABLE AGRICULTURE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAI'I:

SECTION 1. The legislature finds that the use of cover crops and green manure increases agricultural productivity and aligns with the State's integrated sustainability goals. Plants used for this purpose, including grasses, legumes, and forbs, add nutrients to the soil, act as windbreaks, assist with water retention, provide habitats for beneficial insects, and help to prevent soil erosion.

The legislature further finds that it is in the interests of the State to incentivize the use of management practices that enhance the quality and sustainability of Hawaii's agricultural lands.

Accordingly, the purpose of this Act is to establish and appropriate moneys for a crop reimbursement pilot program to reimburse farming operations in the State for the costs of acquiring cover crop seeds or green manure.

SECTION 2. (a) The department of agriculture shall establish and implement a three-year crop reimbursement pilot
program to reimburse farming operations in the State for the
costs of acquiring cover crop seeds or green manure.

(b) Applications for cost reimbursements shall be
submitted on a form furnished by the department and shall be
accompanied by documentation of the costs of purchase, pursuant
to subsection (c); provided that:

(1) The applicant shall indemnify and hold harmless the
State and its officers, agents, and employees from all
claims arising out of or resulting from the cover crop
seeds or green manure purchased; and

(2) The department may request that an applicant provide
additional information for the purposes of verifying
the volume of cover crop or green manure purchased.

(c) Applications for reimbursement under the crop
reimbursement pilot program shall be filed for seeds purchased
within the fiscal year immediately preceding the filing and be
effective for costs of purchasing cover crops or green manure
incurred after June 30, 2020, and before July 1, 2023. The
documentation shall include a certification that the amount for
which the applicant seeks reimbursement is not already covered
by other governmental cover crop incentive programs, including
the National Resource Conservation Service’s environmental
quality incentive payment program or the conservation
stewardship program.

(d) Funds shall be dispersed upon approval on an annual
basis by the department to the farmer or rancher for up to one
hundred per cent of the costs incurred for cover crop seeds or
green manure purchased after June 30, 2020, and before July 1,
2023.

(e) The department shall aggregate the total reimbursement
applications pursuant to this section and divide and distribute
the available moneys on a first come, first served basis;
provided that no farming operation shall receive a total
reimbursement of more than $50,000 per year.

(f) There is established within the department a cover
crop reimbursement pilot program manager position, which shall
be a full-time temporary position exempt from chapters 76 and
89, Hawaii Revised Statutes. The cover crop reimbursement pilot
program manager shall receive a salary not to exceed $50,000 per
year. The cover crop reimbursement pilot program manager shall
possess a requisite level of knowledge and expertise in the area
of program management necessary to carry out the duties of the
position. The cover crop pilot reimbursement program manager shall:

(1) Facilitate the division and distribution of available costs for reimbursement; and

(2) Manage the day-to-day coordination of the cover crop reimbursement pilot program.

(g) Any action taken by the department pursuant to this section shall be exempt from the rulemaking requirements of chapter 91, Hawaii Revised Statutes.

(h) The department shall submit a report of its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2024. The report shall include the department's recommendation on whether the pilot program should be extended, with or without modifications.

(i) As used in this section:

"Cover crop" and "green manure" mean the plants listed in the cover crop and green manure database maintained by the university of Hawaii college of tropical agriculture and human resources.

"Department" means the department of agriculture.
"Farming operation" has the same meaning as defined in
section 165-2, Hawaii Revised Statutes.

SECTION 3. There is appropriated out of the general
revenues of the State of Hawaii the sum of $1,000,000 or so much
thereof as may be necessary for fiscal year 2020-2021 for the
department of agriculture to establish, implement, and
administer a cover crop reimbursement pilot program; provided
that up to $20,000 may be used for administrative costs.

The sum appropriated shall be expended by the department of
agriculture for the purposes of this Act.

SECTION 4. This Act shall take effect on July 1, 2020.

INTRODUCED BY:
Report Title:
HDOA; Sustainable Agriculture; Cover Crop Reimbursement Pilot Program

Description:
Establishes a cover crop reimbursement pilot program to provide up to 100% cost reimbursement to farming operations in the State for acquiring cover crop seeds or green manure. Establishes a cover crop reimbursement pilot program manager position within the Department of Agriculture to administer the program. Requires a report to the Legislature. Appropriates funds.

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