SENATE RESOLUTION

REQUESTING THE DEPARTMENT OF AGRICULTURE TO UPDATE LEASE AGREEMENTS FOR LANDS USED PURSUANT TO ACT 90, SESSION LAWS OF HAWAII 2003, HOLD PUBLIC HEARINGS TO REVIEW AND UPDATE LEASES RELATED TO THE MANAGEMENT OF EXISTING NON-AGRICULTURAL PARK LANDS, AND SUBMIT REPORTS REGARDING ANY UPDATED LEASES AND LANDS TRANSFERRED, AND NOT YET TRANSFERRED, PURSUANT TO ACT 90.

WHEREAS, article XI, section 10, of the Hawaii State Constitution states that "public lands shall be used for the development of farm and home ownership on as widespread a basis as possible, in accordance with procedures and limitations prescribed by law"; and

WHEREAS, prior to 2003, the Department of Land and Natural Resources was responsible for all public lands, including those used for agricultural purposes; and

WHEREAS, the Department of Agriculture has the expertise and necessary resources to manage lands used for agricultural purposes and works with the agricultural community on a daily basis on various issues relating to agriculture; and

WHEREAS, Act 90, Session Laws of Hawaii 2003, established the procedures to transfer the management of certain public lands that are available to be used for agricultural purposes from the Department of Land and Natural Resources to the Department of Agriculture; and

WHEREAS, the purpose of Act 90, Session Laws of Hawaii 2003 (Act 90), is to ensure the long-term productive use of public lands leased or available to be leased by the Department of Land and Natural Resources for agricultural purposes by allowing these lands to be transferred to and managed by the Department of Agriculture; and

WHEREAS, section 166E-11, Hawaii Revised Statutes, authorizes the Department of Agriculture to negotiate and enter
into leases with certain individuals to lease lands that are
used for agricultural purposes; and

WHEREAS, the Department of Agriculture has been derelict in
its duties prescribed by Act 90; now, therefore,

BE IT RESOLVED by the Senate of the Thirtieth Legislature
of the State of Hawaii, Regular Session of 2020, that the
Department of Agriculture is requested to update lease
agreements for lands used pursuant to Act 90, to further the
intended purpose of Act 90 of ensuring the long-term use of
public lands for agricultural purposes; and

BE IT FURTHER RESOLVED that the Department of Agriculture,
Board of Agriculture, and Board of Land and Natural Resources is
requested to hold a public hearing to review and update the
leases related to the management of existing non-agricultural
park lands pursuant to Act 90; and

BE IT FURTHER RESOLVED that the Department of Agriculture
is requested to submit a report on the status of entering into
an updated lease agreement from the Department of Land and
Natural Resources to the Legislature no later than twenty days
prior to the convening of the Regular Session of 2021; and

BE IT FURTHER RESOLVED that the Department of Agriculture,
in collaboration with the Department of Land and Natural
Resources, is requested to submit a report to the Legislature no
later than twenty days prior to the convening of the Regular
Session of 2021 on their efforts to comply with this Concurrent
Resolution; and

BE IT FURTHER RESOLVED that the report include:

(1) A list of all lands transferred pursuant to this
Concurrent Resolution;

(2) A list of all lands that have not yet been transferred
pursuant to Act 90 and an explanation why each of
those lands have not been transferred; and

(3) Proposed legislation, if necessary; and
BE IT FURTHER RESOLVED that a certified copy of this
Resolution be transmitted to the Chairperson of the Board of
Agriculture.

OFFERED BY:  

[Signature]