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## A BILL FOR AN ACT

RELATING TO AGRICULTURAL LOANS.

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

1           SECTION 1. Section 141-1, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§141-1 Duties in general.** The department of agriculture  
4 shall:

5           (1) Gather, compile, and tabulate, from time to time,  
6 information and statistics concerning:

7           (A) Entomology and plant pathology: Insects, scales,  
8 blights, and diseases injurious, or liable to  
9 become injurious, to trees, plants, or other  
10 vegetation, and the ways and means of  
11 exterminating pests and diseases already in the  
12 State and preventing the introduction of those  
13 not yet here; and

14           (B) General agriculture: Fruits, fibres, and useful  
15 or ornamental plants and their introduction,  
16 development, care, and manufacture or  
17 exportation, with a view to introducing,



1                   establishing, and fostering new and valuable  
2                   plants and industries;

3           (2) Encourage and cooperate with the agricultural  
4           extension service and agricultural experiment station  
5           of the University of Hawaii and all private persons  
6           and organizations doing work of an experimental or  
7           educational character coming within the scope of the  
8           subject matter of chapters 141, 142, and 144 to 150A,  
9           and avoid, as far as practicable, duplicating the work  
10          of those persons and organizations;

11          (3) Enter into contracts, cooperative agreements, or other  
12          transactions with any person, agency, or organization,  
13          public or private, as may be necessary in the conduct  
14          of the department's business and on such terms as the  
15          department may deem appropriate; provided that the  
16          department shall not obligate any funds of the State,  
17          except the funds that have been appropriated to the  
18          department. Pursuant to cooperative agreement with  
19          any authorized federal agency, employees of the  
20          cooperative agency may be designated to carry out, on  
21          behalf of the State the same as department personnel,  
22          specific duties and responsibilities under chapters



1 141, 142, 150A, and rules adopted pursuant to those  
2 chapters, for the effective prosecution of pest  
3 control, and animal disease control, and regulation of  
4 import into the State and intrastate movement of  
5 regulated articles;

6 (4) Secure copies of the laws of other states,  
7 territories, and countries, and other publications  
8 germane to the subject matters of chapters 141, 142,  
9 and 144 to 150A, and make laws and publications  
10 available for public information and consultation;

11 (5) Provide buildings, grounds, apparatus, and  
12 appurtenances necessary for the examination,  
13 quarantine, inspection, and fumigation provided for by  
14 chapters 141, 142, and 144 to 150A; for the obtaining,  
15 propagation, study, and distribution of beneficial  
16 insects, growths, and antidotes for the eradication of  
17 insects, blights, scales, or diseases injurious to  
18 vegetation of value and for the destruction of  
19 injurious vegetation; and for carrying out any other  
20 purposes of chapters 141, 142, and 144 to 150A;

21 (6) Formulate and recommend to the governor and  
22 legislature additional legislation necessary or



1           desirable for carrying out the purposes of chapters  
2           141, 142, and 144 to 150A;

3           (7) Publish at the end of each year a report of the  
4           expenditures and proceedings of the department and of  
5           the results achieved by the department, together with  
6           other matters germane to chapters 141, 142, and 144 to  
7           150A, and which the department may deem proper;

8           (8) Administer a program of agricultural planning and  
9           development, including the formulation and  
10          implementation of general and special plans, including  
11          but not limited to the functional plan for  
12          agriculture; administer the planning, development, and  
13          management of the agricultural park program; plan,  
14          construct, operate, and maintain the state irrigation  
15          water systems; review, interpret, and make  
16          recommendations with respect to public policies and  
17          actions relating to agricultural land and water use;  
18          assist in research, evaluation, development,  
19          enhancement, and expansion of local agricultural  
20          industries; and serve as liaison with other public  
21          agencies and private organizations for the above  
22          purposes. In the foregoing, the department of



1           agriculture shall act to conserve and protect  
2           agricultural lands and irrigation water systems,  
3           promote diversified agriculture, increase agricultural  
4           self-sufficiency, and ensure the availability of  
5           agriculturally suitable lands~~[+]~~; and

6           (9) Provide equal access to all programs administered by  
7           the department by all farmers, including farmers on  
8           Hawaiian home lands."

9           SECTION 2. Section 155-10, Hawaii Revised Statutes, is  
10          amended to read as follows:

11           "**§155-10 General eligibility requirements for loans.** To  
12          be eligible for loans under this chapter, an applicant shall be:

13           (1) A qualified farmer, a person under the new farmer  
14           program, or a part-time farmer;

15           (2) A citizen of the United States who has resided in the  
16           State for at least three years, or any permanent  
17           resident alien who has resided in the State for at  
18           least three years; provided that this requirement  
19           shall not apply to applicants for class "D" loans who  
20           otherwise qualify;

21           (3) A sound credit risk with the ability to repay the  
22           money borrowed; and



1 (4) Willing to carry out recommended farm management  
 2 practices[-];  
 3 provided that this section shall not exclude otherwise qualified  
 4 farmers who farm land under the jurisdiction of the department  
 5 of Hawaiian homes."

6 SECTION 3. Statutory material to be repealed is bracketed  
 7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.

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**Report Title:**

Agriculture; Hawaiian Home Lands; Agricultural Loans

**Description:**

Prohibits the exclusion of otherwise qualified farmers from state agricultural loan programs who farm land under the jurisdiction of the department of Hawaiian homes. Requires the department of agriculture to provide equal access to all programs administered by the department by all farmers, including farmers on Hawaiian home lands.

