
A BILL FOR AN ACT

RELATING TO THE PASTORAL AND AGRICULTURAL HOMESTEADING DIVISION
OF THE DEPARTMENT OF HAWAIIAN HOME LANDS.

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

1 SECTION 1. Pastoral and agricultural homesteading is one
2 of the major programs of the department of Hawaiian home lands
3 that is necessary to satisfy the mandates of the Hawaiian Homes
4 Commission Act of 1920, as amended. Unless priority is given to
5 pastoral and agricultural programming, emphasis upon utilizing
6 trust lands for beneficiary purposes will be lost to commercial
7 development. The legislature finds that pastoral and
8 agricultural endeavors are consistent with the State's
9 strategies.

10 The purpose of this Act is to establish within the
11 department of Hawaiian home lands a pastoral and agricultural
12 homesteading division, and to make an appropriation for
13 implementation of the division.

14 SECTION 2. The Hawaiian Homes Commission Act, 1920, as
15 amended, is amended by adding a new section to be appropriately
16 designated and to read as follows:



1 "§ . Pastoral and agricultural homesteading division.

2 (a) There is established within the department of Hawaiian home
3 lands a pastoral and agricultural homesteading division. The
4 purpose of the division shall be to plan, implement, and manage
5 a pastoral and agricultural program that promotes and
6 perpetuates the homesteading of Hawaiian home lands; provided
7 that the homesteading is consistent with:

8 (1) The development of home, agriculture, farm and ranch
9 lots; and

10 (2) The home, agriculture, aquaculture, farm and ranch
11 loans referred to in section 1 of article XII of the
12 constitution of the State of Hawaii.

13 (b) For purposes of subsection (a), the pastoral and
14 agricultural homesteading division shall:

15 (1) Protect against the loss of Hawaiian home lands to
16 commercial development that is not compatible with
17 subsection (a), including by advocating on behalf of
18 existing native Hawaiian lessees under section 207
19 that have agricultural, aquaculture, or pastoral
20 leases in order to preserve the use of those lands for
21 the purposes of their leases; and



1 (2) Develop and implement plans and projects that maximize
2 the use of Hawaiian home lands by maximizing the use
3 of those lands that are prime for agricultural use by
4 reason of location, soil conditions, and other
5 relevant factors; provided that any development shall
6 not be commercial development within the meaning of
7 paragraph (1)."

8 SECTION 3. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$ or so
10 much thereof as may be necessary for fiscal year 2008-2009 for
11 the pastoral and agricultural homesteading division of the
12 department of Hawaiian home lands.

13 The sum appropriated shall be expended by the department of
14 Hawaiian homelands for the purposes of this Act.

15 SECTION 4. The provisions of the amendments made by this
16 Act to the Hawaiian Homes Commission Act, 1920, as amended, are
17 declared to be severable, and if any section, sentence, clause,
18 or phrase, or the application thereof to any person or
19 circumstances is held ineffective because there is a requirement
20 of having the consent of the United States to take effect, then
21 that portion only shall take effect upon the granting of consent



1 by the United States and effectiveness of the remainder of these
2 amendments or the application thereof shall not be affected.

3 SECTION 5. This Act shall take effect upon its approval;
4 provided that section 3 shall take effect on July 1, 2008.



Report Title:

Hawaiian Home Lands; Homesteading; Appropriation

Description:

Establishes a division and appropriates funds for pastoral and agricultural homesteading within the department of Hawaiian home lands. (SB2907 SD1)

