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# A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1 PART I

2 SECTION 1. The legislature finds that to widen Saddle  
3 Road, in the county of Hawaii, the department of land and  
4 natural resources established conservation easements on public  
5 land leased for pasture or special livestock use. Consequently,  
6 the lessee ranchers suffered serious financial losses.

7 The department of land and natural resources established  
8 conservation easements on approximately six thousand acres of  
9 leased lands, preventing the lessees from grazing cattle and  
10 effectively depriving the lessees of their use of the land.  
11 Although the department of land and natural resources reduced  
12 the lease rent in proportion to the taking of the land, the  
13 lessees received no other compensation. The final report on  
14 discussions with affected ranchers in connection with the Saddle  
15 Road realignment project prepared in response to Act 236,  
16 Session Laws of Hawaii 2001, states that the United States  
17 Department of Transportation Highways Division will provide  
18 compensation to the existing lessees. However, according to the



1 lessees, the department of land and natural resources has taken  
2 the position that because Hawaii law did not provide for any  
3 compensation, none was required.

4 Despite this lack of compensation, the lessees are required  
5 by their leases to maintain insurance on the land and pay taxes  
6 for the land. In addition, several lessees had to reduce their  
7 herd and suffered financial losses as a result of the sale of  
8 their cattle. One of the long-term effects of a reduced herd is  
9 that lessees cannot mitigate the long-term, fixed costs  
10 associated with operating a ranch in the way they anticipated  
11 when the lease was negotiated. Thus, the lessees have  
12 experienced financial hardship for an extended period of time  
13 that is not sufficiently mitigated by a reduction in their lease  
14 rent.

15 The purpose of this part is to prevent situations similar  
16 to the Saddle Road withdrawal from occurring in the future.  
17 This part is also intended to better provide for the viability  
18 and survival of Hawaii's agricultural producers. This part  
19 provides fair compensation for lessees when the department of  
20 land and natural resources takes or condemns any portion of the  
21 land, preventing a lessee from using the land as originally  
22 intended.



1 SECTION 2. Chapter 171, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§171- Withdrawal of leased land; fair compensation;  
5 lease extension. (a) Upon a withdrawal or taking of leased  
6 land pursuant to section 171-37(3) that causes any portion of  
7 the land to become unusable for the specific use or uses for  
8 which it was leased, the lease rent shall be reduced in  
9 proportion to the value of the land withdrawn or made unusable;  
10 provided that if any permanent improvement made to or  
11 constructed upon the land by the lessee is destroyed or made  
12 unusable in the process of the withdrawal or taking, the  
13 proportionate value thereof shall be paid to the lessee based  
14 upon the unexpired term of the lease. No land that is under  
15 cultivation shall be withdrawn or taken until the crops are  
16 harvested, unless the board pays the lessee the value of the  
17 crops. Upon a withdrawal, any person with a long-term lease  
18 shall be compensated for the present value of all permanent  
19 improvements in place at the time of the withdrawal that were  
20 legally made to or constructed upon the land by the lessee of  
21 the leased land being withdrawn. In the case of tree-crops, as  
22 defined in section 171-37, the board shall pay to the lessee the



1 residual value of the trees taken and, if there are unharvested  
2 crops, the value of the crops. In the case of breeding  
3 livestock that cannot be relocated or marketed for the breeding  
4 value, the board shall pay to the lessee the difference between  
5 the appraised breeding value and the salvage value, including  
6 the cost of transportation to market.

7 (b) In addition to compensation received pursuant to  
8 subsection (a) or section 171-38, a lessee shall be entitled to  
9 compensation for costs attributable to the diminished use of the  
10 leased land.

11 (c) On land subject to easements, if the easement that is  
12 placed upon the land subsequent to the original lease prevents  
13 the lessee from using the land for the original intended use,  
14 the lessee shall no longer be required to pay the property tax  
15 or cost of any insurance required by the board to be maintained.

16 (d) Subsections (a) and (b) shall only apply if the  
17 withdrawal or taking that causes any portion of the land to  
18 become unusable for the specific use or uses for which it was  
19 leased, occurs after at least half of the lease term has  
20 elapsed."

21 SECTION 3. Section 171-37, Hawaii Revised Statutes, is  
22 amended to read as follows:



1           "§171-37' Lease restrictions; intensive agricultural and  
2 pasture uses. In addition to the restrictions provided in  
3 section 171-36, the following restrictions shall apply to all  
4 leases for intensive agricultural and pasture uses:

5           (1) The lease term shall [~~be~~] not be less than fifteen  
6 years nor more than thirty-five years, except that if  
7 the type of disposition requires the lessee to occupy  
8 the premises as the lessee's own personal residence,  
9 [~~it~~] the lease term may be longer than thirty-five  
10 years [~~, but~~]; provided that the lease term shall not  
11 be in excess of seventy-five years, [~~and~~] except in  
12 the case of a tree-crop orchard lease the term of  
13 which shall not be in excess of forty-five years.

14           (2) If the land being leased is not immediately productive  
15 and requires extensive expenditures for clearing,  
16 conditioning of the soil, the securing of water, the  
17 planting of grasses, or the construction of  
18 improvements, as the result of which a longer term is  
19 necessary to amortize the lessee's investment, then  
20 the lease term may be longer than thirty-five years,  
21 but not in excess of fifty-five years.



1           (3) The land leased hereunder, or any portion thereof,  
2           shall be subject to withdrawal by the board [~~of land~~  
3           ~~and natural resources~~] at any time during the term of  
4           the lease with reasonable notice and [~~without~~]  
5           compensation, [~~except as provided herein,~~] as provided  
6           in section 171- , for public uses or purposes,  
7           including residential, commercial, industrial, or  
8           resort developments, for constructing new roads or  
9           extensions, or changes in line or grade of existing  
10          roads, for rights-of-way and easements of all kinds,  
11          and shall be subject to the right of the board to  
12          remove soil, rock, or gravel as may be necessary for  
13          the construction of roads and rights-of-way within or  
14          without the demised premises [~~;~~ ~~provided that upon the~~  
15          ~~withdrawal, or upon the taking which causes any~~  
16          ~~portion of the land originally demised to become~~  
17          ~~unusable for the specific use or uses for which it was~~  
18          ~~demised, the rent shall be reduced in proportion to~~  
19          ~~the value of the land withdrawn or made unusable, and~~  
20          ~~if any permanent improvement constructed upon the land~~  
21          ~~by the lessee is destroyed or made unusable in the~~  
22          ~~process of the withdrawal or taking, the proportionate~~



1           ~~value thereof shall be paid based upon the unexpired~~  
2           ~~term of the lease; provided further that no withdrawal~~  
3           ~~or taking shall be had as to those portions of the~~  
4           ~~land which are then under cultivation with crops until~~  
5           ~~the crops are harvested, unless the board pays to the~~  
6           ~~lessee the value of the crops; and provided further~~  
7           ~~that upon withdrawal any person with a long term lease~~  
8           ~~shall be compensated for the present value of all~~  
9           ~~permanent improvements in place at the time of~~  
10           ~~withdrawal that were legally constructed upon the land~~  
11           ~~by the lessee to the leased land being withdrawn. In~~  
12           ~~the case of tree crops, the board shall pay to the~~  
13           ~~lessee the residual value of the trees taken and, if~~  
14           ~~there are unharvested crops, the value of the crops~~  
15           ~~also].~~

16           "Tree-crop", as used in this section, shall be exclusive of  
17           papaya and banana."

18           SECTION 4. Section 171-38, Hawaii Revised Statutes, is  
19           amended to read as follows:

20           "§171-38 Condemnation of leases. The lease shall provide  
21           that whenever a portion of the public land under lease is  
22           condemned for public purposes by the State, or any county or



1 city and county, or any other governmental agency or  
2 subdivision, the rental shall be reduced in proportion to the  
3 value of the portion of the premises condemned, and the lessee  
4 shall be entitled to receive from the condemning authority:

5 (1) ~~[the]~~ The value of growing crops, if any, ~~[which]~~ that  
6 the lessee is not permitted to harvest; and

7 (2) ~~[the]~~ The proportionate value of the lessee's  
8 permanent improvements so taken in the proportion that  
9 it bears to the unexpired term of the lease ~~[, provided~~  
10 ~~that the]~~.

11 The lessee ~~[may]~~, in the alternative, may remove and relocate  
12 the lessee's improvements to the remainder of the lands occupied  
13 by the lessee. The foregoing rights of the lessee shall not be  
14 exclusive of any other to which the lessee may be entitled by  
15 law ~~[,]~~, including those rights established in section 171- .

16 Where the portion so taken renders the remainder unsuitable for  
17 the uses for which the land was leased, the lessee shall have  
18 the option to surrender the lessee's lease and be discharged for  
19 any further liability therefor; provided that the lessee may  
20 remove the lessee's permanent improvements within ~~[such]~~ a  
21 reasonable period allowed by the board ~~[of land and natural~~  
22 ~~resources]~~ ."





1 SECTION 5. This part does not affect rights and duties  
2 that matured, penalties that were incurred, and proceedings that  
3 were begun before its effective date.

4 PART II

5 SECTION 6. The purpose of this part is to promote and  
6 support agriculture by, among other things:

- 7 (1) Establishing the agriculture inspection and  
8 certification special fund under the department of  
9 agriculture;
- 10 (2) Transmitting certain fees, civil penalties, and moneys  
11 collected pursuant to section 141-4, chapter 144, part  
12 I of chapter 145, and chapter 147 by the department of  
13 agriculture to the agriculture inspection and  
14 certification special fund;
- 15 (3) Allowing the department to enter into agreements with  
16 government and private agencies to hire inspectors;
- 17 (4) Transferring all moneys and unpaid obligations of the  
18 certification services revolving fund on June 30,  
19 2010, to the agriculture inspection and certification  
20 special fund; and
- 21 (5) Repealing the certification services revolving fund.



1 SECTION 7. Chapter 147, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and read as follows:

4 "§147- Agriculture inspection and certification special  
5 fund. (a) There is established within the state treasury the  
6 agriculture inspection and certification special fund.

7 (b) The following sources of funds shall be deposited into  
8 the fund:

9 (1) Fees, charges, fines, and penalties designated by law  
10 or rule for deposit into the fund;

11 (2) Federal funds received for inspecting, certifying,  
12 weighing, classifying, or grading of agricultural  
13 commodities to be exported from or shipped within the  
14 state;

15 (3) Grants and gifts;

16 (4) Funds received for food safety or food security  
17 certification seals;

18 (5) Funds received for promoting safety-certified food  
19 suppliers and services related to food safety;

20 (6) All interest earned or accrued on moneys deposited in  
21 the fund; and

22 (7) Any other moneys made available to the fund.



1        (c) The moneys in the agriculture inspection and  
2 certification special fund shall be expended by the department  
3 for:

4        (1) The licensure of commission merchants, dealers,  
5 brokers, agents, processors, and retail merchants;

6        (2) The administration, operation, and enforcement of  
7 chapter 144, part I of chapter 145, and this chapter;  
8 and

9        (3) The inspection, certification, weighing, or grading of  
10 agricultural commodities that are to be imported into,  
11 exported from, or shipped within the state.

12        No moneys from the general or other special or revolving  
13 funds shall be expended by the department for the  
14 administration, operation, or enforcement of section 141-4,  
15 chapter 144, part I of chapter 145, chapter 150, or this  
16 chapter; provided that the expenditure of moneys from the  
17 general fund for central services and departmental  
18 administrative expenses shall be permitted."

19        SECTION 8. Section 141-4, Hawaii Revised Statutes, is  
20 amended to read as follows:

21        "§141-4 **Weights of coffee; rules.** The department of  
22 agriculture may make rules respecting the weighing of coffee



1 prior to its shipment to points outside the [~~State,~~] state, and  
2 providing for the certification of weights thereof. Further, a  
3 reasonable schedule of fees to defray the expense of  
4 administering this section shall be established by the  
5 department, which fees shall be collected and [~~deposited with~~]  
6 transmitted to the state director of finance [~~to the credit of~~  
7 ~~the general~~] for deposit into the agriculture inspection and  
8 certification special fund; provided that the department shall  
9 consult the appropriate industries, organizations, and agencies  
10 prior to the promulgation of the rules."

11 SECTION 9. Section 144-5, Hawaii Revised Statutes, is  
12 amended by amending subsection (a) to read as follows:

13 "(a) There shall be paid to the department for all feeds  
14 distributed or imported for use or sale in this [~~State,~~] state,  
15 inspection fees as established by the rules of the department;  
16 provided that the department shall exempt by rule the payment of  
17 inspection fees on feed not subject to specific requirements of  
18 this chapter or rules adopted under this chapter. All  
19 inspection fees collected shall be [~~deposited with~~] transmitted  
20 to the state director of finance [~~to the credit of the general~~]  
21 for deposit into the agriculture inspection and certification  
22 special fund."



1 SECTION 10. Section 145-14, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§145-14 Disposition of fees and charges. All fees,  
4 charges, expenses, fines collected from violations of this part,  
5 and other moneys collected pursuant to this [~~chapter~~] part shall  
6 be [~~deposited with~~] transmitted to the state director of finance  
7 [~~to the credit of the general~~] for deposit into the agriculture  
8 inspection and certification special fund."

9 SECTION 11. Section 147-10, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "§147-10 Income from certification and agriculture control  
12 activities. [~~Except for fees collected by the department~~  
13 ~~pursuant to part VII, all~~] All fees, expenses, and penalties  
14 collected by the department pursuant to this part shall be  
15 [~~deposited with~~] transmitted to the director of finance [~~to the~~  
16 ~~credit of the general~~] for deposit into the agriculture  
17 inspection and certification special fund."

18 SECTION 12. Section 147-34, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "§147-34 Inspection; certification fees. The board of  
21 agriculture may designate any appropriately-certified employee  
22 or agent of the department as an inspector to classify and



1 inspect fresh and processed flowers and foliage for quality and  
2 condition and to determine if containers, packing materials, and  
3 methods of packing meet the minimum requirements established.  
4 In addition the inspector may classify and inspect flowers and  
5 foliage for quality and condition at the request of persons  
6 having a financial interest in the commodities [~~in order~~] to  
7 ascertain and to certify to those persons the grade,  
8 classification, quality, or condition thereof and other  
9 pertinent facts. The department may fix, assess, and collect or  
10 cause to be collected fees for those certification services when  
11 they are performed by the employees of the department. The fees  
12 shall be on a uniform basis and in an amount reasonably  
13 necessary to cover the cost of certification services provided  
14 at the request of persons having a financial interest. [~~Except~~  
15 ~~for fees collected by the department pursuant to part VII, all]~~  
16 All fees collected by the department pursuant to this part shall  
17 be [~~deposited with~~] transmitted to the [state] director of  
18 finance [~~to the credit of the general~~] for deposit into the  
19 agriculture inspection and certification special fund."

20 SECTION 13. Section 147-64, Hawaii Revised Statutes, is  
21 amended to read as follows:



1           "§147-64 Deposit of moneys. [~~Except for fees collected by~~  
2 ~~the department pursuant to part VII, all]~~ All fees, charges,  
3 expenses, civil penalties, and other moneys collected by the  
4 department under this part or any rules prescribed by the  
5 department pursuant to this part shall be [~~deposited with]~~  
6 transmitted to the [state] director of finance [to the credit of  
7 the general] for deposit into the agriculture inspection and  
8 certification special fund."

9           SECTION 14. Section 147-74, Hawaii Revised Statutes, is  
10 amended to read as follows:

11           "§147-74 Grading standards and regulations [~~-~~]; fees. (a)

12 Subject to chapter 91, the department of agriculture may make  
13 rules with respect to:

- 14           (1) Sale and transportation for sale of eggs for human  
15               consumption;
- 16           (2) Specific grades or standards of quality, condition and  
17               size or weight classes which shall conform when  
18               practical to those established by the United States  
19               Department of Agriculture as local conditions will  
20               permit;
- 21           (3) Inspection and classification;



- 1 (4) Assessment and collection of fees for requested  
2 certification as to grade, standard of quality,  
3 condition, and size or weight classes;
- 4 (5) Labeling of containers of imported and locally  
5 produced eggs and marking of individual imported eggs  
6 as to origin;
- 7 (6) Seller's invoice for sale of eggs;
- 8 (7) Records of imported shell eggs of foreign origin;
- 9 (8) Methods of determining egg quality, which shall not  
10 include recandling or any other method applied to eggs  
11 in interstate commerce which is discriminatory or  
12 impairs that commerce in any way or requires a cost  
13 increase of eggs in interstate commerce; and
- 14 (9) Enforcement of this part and of the rules adopted  
15 under this part.

16 (b) Any fees collected pursuant to subsection (a)(4) shall  
17 be transmitted to the director of finance for deposit into the  
18 agriculture inspection and certification special fund."

19 SECTION 15. Section 147-97, Hawaii Revised Statutes, is  
20 amended to read as follows:

21 "§147-97 Disposition of fees. All fees collected under  
22 this part shall be ~~[paid into a special fund established by the~~





1 ~~department of agriculture and shall be expended for the purposes~~  
2 ~~of this part.]~~ transmitted to the director of finance for  
3 deposit into the agriculture inspection and certification  
4 special fund."

5 SECTION 16. Section 147-102, Hawaii Revised Statutes, is  
6 amended to read as follows:

7 "[+] §147-102 [+] Certification and audit services. The  
8 department of agriculture shall fix, assess, and collect fees  
9 for certification or audit services provided by temporary  
10 inspectors employed under this [~~part-~~] chapter. The fees shall  
11 be in amounts necessary to cover all costs of the administration  
12 and provision of the certification or audit services provided  
13 under this [~~part-~~] chapter; provided that the department of  
14 agriculture shall establish charges for traveling expenses and  
15 extraordinary services when the performance of the services  
16 involves unusual cost. The fees and charges established by the  
17 department of agriculture shall not be subject to chapter 91 [-]  
18 and, upon collection, shall be transmitted to the director of  
19 finance for deposit into the agriculture inspection and  
20 certification special fund. The department of agriculture may  
21 employ temporary inspectors to assist in providing certification



1 or audit services under parts I, III, IV, VIII, and IX, and  
2 those temporary inspectors shall be exempt from chapter 76."

3 SECTION 17. Section 147-112, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "[~~f~~] §147-112 [~~+~~] Cooperative agreements and contracts to  
6 provide auditing and certification services. The department may  
7 enter into cooperative agreements with the United States  
8 Department of Agriculture or other agreements and contracts with  
9 private parties or other governmental agencies for the purposes  
10 of:

11 (1) Auditing and certifying that applicants are following  
12 good agricultural, handling, processing, and  
13 manufacturing practices; [~~and~~]

14 (2) Hiring and paying travel and other expenses for  
15 inspectors to perform the certification and audit  
16 services required under this chapter;

17 [~~+2~~] (3) Maintaining food safety, security, and product  
18 traceability[-]; and

19 (4) Establishing and maintaining an Internet food safety  
20 promotional and reporting system."

21 SECTION 18. Section 147-114, Hawaii Revised Statutes, is  
22 amended to read as follows:



1 " ~~[+] §147-114 [.]~~ Fees and deposit of moneys. (a) The  
2 department shall fix, assess, and collect fees for the audit and  
3 certification services provided under this part ~~[.]~~, including  
4 fees for hiring inspectors to perform the services. The fees  
5 shall be as established under cooperative agreement with the  
6 United States Department of Agriculture or other governmental  
7 agencies or, if not applicable, as established by rule under  
8 section 147-7. The department ~~[may]~~ shall also charge an amount  
9 necessary to cover all costs of traveling expenses and  
10 extraordinary services when the performance of the services  
11 involves unusual cost in their performance.

12 (b) ~~[Except for fees collected by the department pursuant~~  
13 ~~to part VII, all]~~ All fees and expenses collected by the  
14 department pursuant to this part shall be ~~[deposited with]~~  
15 transmitted to the director of finance ~~[to the credit of the~~  
16 ~~general]~~ for deposit into the agriculture inspection and  
17 certification special fund."

18 SECTION 19. Section 147-126, Hawaii Revised Statutes, is  
19 amended by amending subsection (b) to read as follows:

20 "(b) ~~[Except for fees collected by the department pursuant~~  
21 ~~to part VII, all]~~ All fees and expenses collected by the  
22 department pursuant to this part shall be ~~[deposited with]~~



1 transmitted to the director of finance [to the credit of the  
2 general] for deposit into the agriculture inspection and  
3 certification special fund."

4 SECTION 20. Section 147-101, Hawaii Revised Statutes, is  
5 repealed.

6 [~~§147-101 Certification services revolving fund. There~~  
7 ~~is established a certification services revolving fund for use~~  
8 ~~by the department of agriculture to support certification or~~  
9 ~~audit services established under parts I, III, IV, VIII, and IX.~~  
10 ~~Moneys in the fund may be expended for materials, salaries,~~  
11 ~~equipment, training, travel, and other costs related to~~  
12 ~~providing certification or audit services. Notwithstanding~~  
13 ~~sections 147-10, 147-34, 147-64, 147-114 and 147-126, moneys~~  
14 ~~derived from the certification or audit services provided by~~  
15 ~~temporary inspectors employed under this part or from charges~~  
16 ~~for traveling expenses or extraordinary services shall be~~  
17 ~~deposited into the fund." ]~~

18 SECTION 21. (a) The repeal of section 147-101, Hawaii  
19 Revised Statutes, shall not rescind any fees authorized or  
20 imposed under that section that would have been deposited into  
21 the certification services revolving fund. From July 1, 2010,

1 the fees under those sections shall be deposited into the  
2 agriculture inspection and certification special fund.

3 (b) On the effective date of this Act:

4 (1) All moneys in the certification services revolving  
5 fund on June 30, 2010, shall be transferred to the  
6 agriculture inspection and certification special fund;

7 (2) All unpaid obligations of the certification services  
8 revolving fund on June 30, 2010, shall become payable  
9 from the agriculture inspection and certification  
10 special fund; and

11 (3) The certification services revolving fund shall cease  
12 to exist.

13 SECTION 22. (a) Between July 1, 2010, and September 30,  
14 2010, the department of agriculture shall adopt new or amend  
15 existing rules to impose or increase fees authorized to be  
16 charged under section 141-4, chapter 144, part I of chapter 145,  
17 and chapter 147, Hawaii Revised Statutes, without regard to the  
18 public notice and public hearing requirements of section 91-3,  
19 Hawaii Revised Statutes, the small business impact review  
20 requirements of chapter 201M, Hawaii Revised Statutes, or the  
21 limit on fee increases under section 92-28, Hawaii Revised  
22 Statutes. The department shall set the fees through a two-



1 tiered increase at amounts intended to generate sufficient  
2 revenues to pay the operation and maintenance costs of  
3 implementing the agriculture inspection and certification  
4 programs of chapter 141, chapter 144, part I of chapter 145, and  
5 chapter 147, Hawaii Revised Statutes, and central services and  
6 departmental administrative expense assessments of section 36-27  
7 and section 36-30, Hawaii Revised Statutes.

8 (b) If, by September 30, 2010, the department of  
9 agriculture has not complied with subsection (a), then the fee  
10 charged for each inspection or certification conducted under  
11 authority of section 141-4, chapter 144, part I of chapter 145,  
12 and chapter 147 shall be \$65 per hour or as established under  
13 cooperative agreement with the United States Department of  
14 Agriculture or other governmental agencies commencing October 1,  
15 2010, and the fee charged for licensure of or license renewal  
16 for a commission merchant, dealer, broker, agent, processor, or  
17 retail merchant shall be:

18 (1) \$80 for a commission merchant, dealer, broker, agent,  
19 or processor;

20 (2) \$20 for a retail merchant; and

21 (3) \$10 for each branch store,

22 commencing October 1, 2010.



1 (c) Any subsequent amendments to the rules adopted or  
2 amended pursuant to subsection (a) or the fee established under  
3 subsection (b) shall be subject to all applicable provisions of  
4 chapter 91, chapter 201M, and section 92-28, Hawaii Revised  
5 Statutes.

6 SECTION 23. Notwithstanding section 7 of this Act, there  
7 is appropriated out of the general revenues of the State of  
8 Hawaii the sum of \$ or so much thereof as may be  
9 necessary for fiscal year 2010-2011 for the agriculture  
10 inspection and certification program of the department of  
11 agriculture; provided that funding shall cease when the  
12 collection into the agriculture inspection and certification  
13 special fund becomes sufficient to carry out the purposes of  
14 this part.

15 The sum appropriated shall be expended by the department of  
16 agriculture for the purposes of this part.

17 PART III

18 SECTION 24. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20 SECTION 25. This Act shall take effect on July 1, 2010,  
21 and part I of this Act shall apply only to leases entered into  
22 after the effective date of this Act.



**Report Title:**

Leased Public Lands; Withdrawal; Compensation; Agricultural Inspection and Certification

**Description:**

Provides for fair compensation when leased public land for agricultural or pastoral uses is withdrawn, condemned, or taken for public purposes. Establishes the Agricultural Inspection and Certification Special Fund, to be used for the inspection and certification of agricultural commodities.  
Effective July 1, 2010. (SB2951 HD1)

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

