

JAN 26 2011

A BILL FOR AN ACT

RELATING TO LAND.

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

1 SECTION 1. Section 26-19, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§26-19 Department of transportation.** The department of
4 transportation shall be headed by a single executive to be known
5 as the director of transportation.

6 The department shall establish, maintain, and operate
7 transportation facilities of the State, including highways,
8 airports, harbors, and such other transportation facilities and
9 activities as may be authorized by law.

10 The department shall plan, develop, promote, and coordinate
11 various transportation systems management programs that shall
12 include, but not be limited to, alternate work and school hours
13 programs, bicycling programs, and ridesharing programs.

14 The department shall develop and promote ridesharing
15 programs which shall include but not be limited to, carpool and
16 vanpool programs, and may assist organizations interested in
17 promoting similar programs, arrange for contracts with private
18 organizations to manage and operate these programs, and assist



1 in the formulation of ridesharing arrangements. Ridesharing
2 programs include informal arrangements in which two or more
3 persons ride together in a motor vehicle.

4 The department may designate any unused or underutilized
5 public lands of the department for agricultural purposes and may
6 enter into agreements to authorize the department of agriculture
7 or the department of land and natural resources to dispose of
8 delegated lands in any manner consistent with the use of lands
9 for agricultural purposes authorized by law, including
10 designation for use as agricultural parks pursuant to section
11 171-117 or important agriculture lands pursuant to section
12 205-44.5.

13 The functions and authority heretofore exercised by the
14 department of public works with respect to highways are
15 transferred to the department of transportation established by
16 this chapter.

17 On July 1, 1961, the Hawaii aeronautics commission, the
18 board of harbor commissioners and the highway commission shall
19 be abolished and their remaining functions, duties, and powers
20 shall be transferred to the department of transportation.

21 Upon the abolishment of the Hawaii aeronautics commission,
22 the board of harbor commissioners, and the highway commission,



1 there shall be established within the department of
2 transportation a commission to be known as the commission on
3 transportation which shall sit in an advisory capacity to the
4 director of transportation on matters within the jurisdiction of
5 the department of transportation. The commission on
6 transportation shall consist of not more than eleven members,
7 with the number of members from each county insofar as
8 practicable being approximately proportional to the population
9 of the respective counties to the population of the State;
10 provided that each of the four counties shall be represented by
11 at least one member."

12 SECTION 2. Section 171-3, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§171-3 Department of land and natural resources.** (a)

15 The department of land and natural resources shall be headed by
16 an executive board to be known as the board of land and natural
17 resources. The department shall manage, administer, and
18 exercise control over public lands, the water resources, ocean
19 waters, navigable streams, coastal areas [(-)excluding commercial
20 harbor areas (+)], and minerals and all other interests therein
21 and exercise [such] all powers of disposition [thereof] as may
22 be authorized by law. The department shall also manage and



1 administer the state parks, historical sites, forests, forest
2 reserves, aquatic life, aquatic life sanctuaries, public fishing
3 areas, boating, ocean recreation, coastal programs, wildlife,
4 wildlife sanctuaries, game management areas, public hunting
5 areas, natural area reserves, and other functions assigned by
6 law.

7 (b) Notwithstanding subsection (a), beginning January 1,
8 2010, the authority to manage, administer, and exercise control
9 over any public lands that are designated important agricultural
10 lands pursuant to section 205-44.5, and public lands designated
11 by the department of transportation for agricultural purposes
12 shall be transferred to the department of agriculture.

13 (c) The department may exercise any power granted to it
14 pursuant to this chapter or otherwise over lands designated by
15 the department of transportation for agricultural purposes."

16 SECTION 3. This Act does not affect rights and duties that
17 matured, penalties that were incurred, and proceedings that were
18 begun before its effective date.

19 SECTION 4. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

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1 SECTION 5. This Act shall take effect on July 1, 2011.

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INTRODUCED BY: John Gosh

Dana White



Report Title:

Department of Transportation; Agricultural Purposes

Description:

Authorizes the department of transportation to designate unused or underutilized lands of the department of transportation for agricultural purposes and to enter into agreements with the department of land and natural resources and the department of agriculture to dispose of those lands as authorized by law.

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