



EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

June 26, 2013

GOV. MSG. NO. 1304

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 26, 2013, the following bill was signed into law:

SB993 SD2 HD1 CD1

RELATING TO AGRICULTURAL LOANS
ACT 201 (13)

NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO AGRICULTURAL LOANS.

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

1 SECTION 1. Financial resources are not readily available
2 to those new to farming or those who would like to experiment
3 with new crops or techniques. Lack of capital oftentimes weighs
4 heavily when deciding whether or not to choose or continue in
5 farming as a career.

6 With the average age of the farm operator in Hawaii being
7 fifty-nine years old, there is a need to encourage the younger
8 generations to take over existing farms or start their own
9 farms. Capital is also needed for farmers to be able to test
10 new techniques and new crops in order to make their operations
11 run more efficiently and thus be better able to survive foreign
12 and mainland competition.

13 The purpose of this Act is to establish enhancements in the
14 agricultural loan program to address these issues and provide
15 incentives to enter into and to continue farming by:

16 (1) Expanding eligibility for the new farmer loan to
17 include graduates of farm trainee programs;



1 (2) Amending eligibility criteria for the new farmer loan
2 program to provide incentives for graduates of farm
3 trainee programs and recent recipients of a college
4 degree in agriculture; and

5 (3) Amending the purpose of the new farmer loan to include
6 farm innovation loans for farmers to perform practical
7 research in farming.

8 SECTION 2. Section 155-1, Hawaii Revised Statutes, is
9 amended by amending the definition of "new farmer program" to
10 read as follows:

11 "New farmer [~~program~~]" means a new farm enterprise [~~for~~
12 ~~qualified new farmers,~~] or a person, who by reason of ability,
13 experience, and training [~~are~~], is likely to successfully
14 operate a farm and who otherwise [~~meet~~] meets the eligibility
15 requirements of section 155-10 and includes any of the
16 following:

17 (1) Persons displaced from employment in an agricultural
18 production enterprise;

19 (2) College graduates in agriculture;

20 (3) Community college graduates in agriculture;



- 1 (4) Members of the Hawaii Young Farmer Association and
- 2 National FFA Organization graduates with farming
- 3 projects;
- 4 (5) Persons who have not less than two years' experience
- 5 as part-time farmers;
- 6 (6) Graduates from farm trainee programs designed to
- 7 provide interns with the necessary hands on skills and
- 8 management training to successfully operate their own
- 9 farm;
- 10 [~~6~~] (7) Persons who have been farm tenants or farm
- 11 laborers; or
- 12 [~~7~~] (8) Other individuals who have for the two years last
- 13 preceding their application [~~have~~] obtained the major
- 14 portion of their income from farming operations."

15 SECTION 3. Section 155-3, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "\$155-3 Restriction. Loans [~~provided for~~] authorized by
18 this chapter shall require two credit denials, except for class
19 "F" loans for new farmer and farm innovation programs, which
20 shall require one credit denial. This requirement shall be
21 waived for new farmer loans for \$100,000 or less for farm
22 trainees and recent college graduates with a degree in



1 agriculture. This requirement may also be waived by the board
2 of agriculture for emergency loans. Credit denials may be
3 accepted from any of the following:

- 4 (1) Private lenders;
- 5 (2) Members of the farm credit system; or
- 6 (3) The United States Department of Agriculture."

7 SECTION 4. Section 155-9, Hawaii Revised Statutes, is
8 amended by amending subsection (g) to read as follows:

9 "(g) Class F: [~~Loans for new farmer programs shall~~
10 ~~provide for costs of a new farm enterprise for qualified new~~
11 ~~farmers+]~~ New farmer and farm innovation loan programs shall
12 provide for:

- 13 (1) [~~Initial~~] New farmer loans made under this class shall
14 be for purposes and in accordance with the terms
15 specified in class "A" and "C" only, and shall be made
16 only for full-time farming. The loans shall be made
17 for an amount not to exceed \$250,000 or eighty-five
18 per cent of the cost of the project, whichever is
19 less[+]. Farm trainees and recent graduates with a
20 degree in agriculture with smaller projects requiring
21 loans of \$100,000 or less shall have a minimum five



1 per cent equity contribution towards the cost of the
2 project;

3 (2) Farm innovation loans made under this class shall be
4 for qualified farmers to perform practical research in
5 crop development, innovative production techniques,
6 new technologies, and production of new crops that are
7 not typically grown in the State. Farm innovation
8 loans shall be limited to a maximum of \$75,000;

9 ~~(2)~~ (3) Any subsequent loan shall be made from classes
10 "A" to "D", respectively, depending upon the purpose
11 for which the loan funds are used; and

12 ~~(3)~~ (4) Borrowers shall comply with special term loan
13 agreements as may be required by the department and
14 shall take special training courses as the department
15 deems necessary."

16 SECTION 5. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 6. This Act shall take effect on July 1, 2013.

APPROVED this 26 day of JUN, 2013



GOVERNOR OF THE STATE OF HAWAII