
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY AND MAKE
RECOMMENDATIONS ON HOW TO INCREASE COMPLIANCE WITH THE
VARIOUS REQUIREMENTS FOR AGRICULTURAL LANDS AND TO PREVENT
ABUSE OF AGRICULTURAL LAND LEASES.

1 WHEREAS, it is the State's responsibility under Article XI,
2 Section 3, of the Hawaii State Constitution, to conserve and
3 protect agricultural lands, promote diversified agriculture,
4 increase agricultural self-sufficiency, and assure the
5 availability of agriculturally suitable lands; and

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7 WHEREAS, Hawaii's agricultural production is insufficient
8 to meet the State's food consumption needs, and this over-
9 reliance on imported food creates critical issues for the
10 State's health, safety and security, sustainable future, and
11 preparedness in the event of future disaster, emergency, or
12 crisis; and

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14 WHEREAS, over the past few years, the State has made it a
15 priority to shift toward sustainability in agriculture and to
16 decrease the reliance on food imports; and

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18 WHEREAS, state and federal programs offer various
19 incentives and subsidies to promote agriculture, including low-
20 interest loans, low water rates, affordable land leases, tax
21 credits, and grants; and

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23 WHEREAS, some individuals abuse the benefits provided to
24 farmers by building unpermitted structures on agricultural
25 lands, illegally selling their leases, or simply failing to use
26 the land for agriculture; now, therefore,

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28 BE IT RESOLVED by the House of Representatives of the
29 Thirtieth Legislature of the State of Hawaii, Regular Session of



1 2019, the Senate concurring, that the Department of Agriculture
2 is requested to study and make recommendations on how to
3 increase compliance with the various requirements for
4 agricultural lands and to prevent abuse of agricultural land
5 leases, including:

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- 7 (1) Addressing methods to increase the effectiveness of
8 Department of Agriculture employees who inspect
9 agricultural lands for noncomplying structures and
10 uses, including enforcing provisions prohibiting
11 individuals from living on agricultural lands and
12 constructing illegal structures;
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- 14 (2) Developing and implementing programs, practices,
15 policies, and procedures to ensure that the Department
16 of Agriculture is the designated state entity
17 responsible for enforcing compliance with requirements
18 for agricultural lands, including ensuring that
19 Department of Agriculture investigators monitor and
20 maintain contact with farmers who have filed or made
21 complaints until the resolution of the complaint;
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- 23 (3) Preventing other impermissible uses of lands within
24 the agricultural district;
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- 26 (4) Confiscating leases from individuals who have leased
27 agricultural land from the State and allowed the land
28 to remain uncultivated for extended periods;
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- 30 (5) Stopping the illegal subleasing of agricultural
31 leases; and
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- 33 (6) Addressing other hindrances, issues, and policies that
34 limit the Department of Agriculture's ability to
35 address violations of agricultural requirements; and
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37 BE IT FURTHER RESOLVED that the Department of Agriculture
38 is requested to submit a report of its findings and
39 recommendations, including any proposed legislation, to the
40 Legislature no later than twenty days prior to the convening of
41 the Regular Session of 2020; and



1 BE IT FURTHER RESOLVED that a certified copy of this
2 Concurrent Resolution be transmitted to the Chairperson of the
3 Board of Agriculture.

