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# SENATE 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 Senate of the Thirtieth Legislature  
29 of the State of Hawaii, Regular Session of 2019, the House of



1 Representatives 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) Methods to increase the effectiveness of Department of  
8 Agriculture employees who inspect agricultural lands  
9 for noncomplying structures and uses, including  
10 enforcing provisions prohibiting individuals from  
11 living on agricultural lands and constructing illegal  
12 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.

