
A BILL FOR AN ACT

RELATING TO NON-AGRICULTURAL PARK LANDS.

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

1 SECTION 1. Act 90, Session Laws of Hawaii 2003, was
2 enacted and codified as chapter 166E, Hawaii Revised Statutes,
3 to transfer certain non-agricultural park lands from the
4 department of land and natural resources to the department of
5 agriculture. The legislature finds that many lessees, primarily
6 farmers and ranchers, with large acreage of land have already
7 been notified by the department of agriculture that their land
8 leases were to be transferred to and managed by the department
9 of agriculture. However, nearly seventeen years later, the
10 department of land and natural resources has not yet transferred
11 the land.

12 The purpose of this Act is to:

13 (1) Set a deadline for the transfer of certain non-
14 agricultural park lands from the department of land
15 and natural resources to the department of agriculture
16 pursuant to Act 90, Session Laws of Hawaii 2003; and



1 (2) Clarify that the care and production of pasture land
2 constitutes an "agricultural activity" for purposes of
3 chapter 166E, Hawaii Revised Statutes.

4 SECTION 2. Section 166E-2, Hawaii Revised Statutes, is
5 amended by amending the definition of "agricultural activities"
6 to read as follows:

7 "Agricultural activities" means the care and production of
8 livestock, livestock products, poultry, or poultry products, or
9 apiary, horticultural, or floricultural products, or the
10 planting, cultivating, and harvesting of crops or trees. As
11 used in this definition, the care and production of livestock or
12 livestock products includes the care and production of pasture
13 land."

14 SECTION 3. (a) Any provision of chapter 166E, Hawaii
15 Revised Statutes, to the contrary notwithstanding, the
16 department of land and natural resources shall transfer lands to
17 the department of agriculture by June 30, 2020, as provided in
18 subsection (b).

19 (b) Any provision of chapter 166E, Hawaii Revised
20 Statutes, to the contrary notwithstanding, any lands identified
21 and approved for unconditional transfer as non-agricultural park



1 lands that have not been transferred by June 30, 2020, shall be
2 placed under the jurisdiction of the department of agriculture
3 by July 1, 2020. The department of land and natural resources
4 shall be responsible for all leases and agreements that are not
5 in compliance with section 166E-3, Hawaii Revised Statutes. The
6 department of agriculture shall assume responsibility for
7 compliant leases and agreements and shall negotiate future
8 leases and agreements by July 1, 2020.

9 SECTION 4. The department of land and natural resources
10 and department of agriculture shall jointly submit a report to
11 the legislature no later than twenty days prior to the convening
12 of the regular session of 2021, on their efforts to effectuate
13 the land transfer as provided in section 3 of this Act,
14 including a list of all identified land transfers.

15 SECTION 5. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 6. New statutory material is underscored.

19 SECTION 7. This Act shall take effect on July 1, 2050.



Report Title:

Non-agricultural Park Lands; DLNR; DOA; Transfer; Deadline;
Report; Agricultural Activities

Description:

Requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. Requires DLNR and DOA to jointly report on the status of the land transfer. Amends the definition of "agricultural activities" used in chapter 166E, HRS. Effective 7/1/2050. (HD1)

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