

JAN 23 2020

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# A BILL FOR AN ACT

RELATING TO AGRICULTURAL 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 to authorize the transfer of certain non-agricultural  
3 park lands from the department of land and natural resources to  
4 the department of agriculture. The legislature finds that many  
5 lessees of large acreages of land, primarily farmers and  
6 ranchers, have already been notified by the department of  
7 agriculture that their land leases were to be transferred to and  
8 managed by the department of agriculture. However, nearly  
9 seventeen years later, the department of land and natural  
10 resources has not yet transferred the lands.

11           The purpose of this Act is to:

- 12           (1) Clarify that agricultural activities on non-  
13                 agricultural park lands may include the care and  
14                 production of pasture lands; and
- 15           (2) Require the department of land and natural resources  
16                 to transfer certain non-agricultural park lands to the



1 department of agriculture as authorized by section  
2 166E-3, Hawaii Revised Statutes.

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

6 "Agricultural activities" means the care and production of  
7 livestock, pasture lands, livestock products, poultry, or  
8 poultry products, or apiary, horticultural, or floricultural  
9 products, or the planting, cultivating, and harvesting of crops  
10 or trees, including tree farms."

11 SECTION 3. (a) No later than June 30, 2021, the board of  
12 land and natural resources shall transfer to the department of  
13 agriculture, lands of the following tax map key numbers: (3) 1-  
14 2-008-001-0000, (3) 1-8-010-038-0000, (3) 1-8-010-043-0000, (3)  
15 1-8-010-044-0000, (3) 1-8-010-046-0000, (3) 2-3-030-001-0000,  
16 (3) 2-3-032-001-0000, (3) 2-4-004-012-0000, (3) 2-4-004-013-  
17 0000, (3) 2-4-004-021-0000, (3) 2-4-004-022-0000, (3) 2-4-005-  
18 001-0000, (3) 2-4-005-012-0000, (3) 2-4-006-012-0000, (3) 2-4-  
19 006-013-0000, (3) 2-4-007-037-0000, (3) 2-4-051-001-0000, (3) 2-  
20 6-018-001-0000, (3) 2-7-007-005-0000, (3) 2-8-010-003-0000, (3)  
21 3-5-001-001-0000, (3) 3-6-006-046-0000, (3) 4-1-004-031-0000,



1 (3) 4-1-004-033-0000, (3) 4-1-006-002-0000, (3) 4-1-006-004-  
2 0000, (3) 4-1-006-007-0000, (3) 4-2-007-002-0000, (3) 4-2-008-  
3 002-0000, (3) 4-3-006-005-0000, (3) 4-3-010-002-0000, (3) 4-3-  
4 010-008-0000, (3) 4-3-014-001-0000, (3) 4-4-003-003-0000, (3) 4-  
5 4-003-047-0000, (3) 4-4-010-013-0000, (3) 4-4-013-011-0000, (3)  
6 4-4-014-002-0000, (3) 4-4-014-003-0000, (3) 4-4-014-004-0000,  
7 (3) 4-4-014-011-0000, (3) 4-5-001-007-0000, (3) 4-5-001-013-  
8 0000, (3) 4-5-011-006-0000, (3) 4-5-011-007-0000, (3) 5-5-003-  
9 005-0000, (3) 5-5-003-006-0000, (3) 5-5-003-013-0000, (3) 5-5-  
10 003-014-0000, (3) 5-5-003-019-0000, (3) 5-5-007-008-0000, (3) 5-  
11 5-007-009-0000, (3) 5-6-001-001-0000, (3) 5-6-001-035-0000, (3)  
12 5-7-001-004-0000, (3) 5-7-001-009-0000, (3) 5-7-001-010-0000,  
13 (3) 5-7-001-015-0000, (3) 5-8-001-002-0000, (3) 5-8-001-005-  
14 0000, (3) 5-8-001-006-0000, (3) 5-8-002-003-0000, (3) 5-8-002-  
15 005-0000, (3) 5-8-002-006-0000, (3) 5-8-003-007-0000, (3) 6-2-  
16 001-003-0000, (3) 6-2-001-005-0000, (3) 6-2-001-011-0000, (3) 6-  
17 2-001-015-0000, (3) 6-4-001-057-0000, (3) 6-4-031-007-0000, (3)  
18 6-4-031-009-0000, (3) 6-4-031-010-0000, (3) 6-5-001-006-0000,  
19 (3) 6-5-001-020-0000, (3) 6-6-001-002-0000, (3) 6-6-001-077-  
20 0000, (3) 6-6-006-002-0000, (3) 6-6-006-003-0000, (3) 6-6-006-  
21 004-0000, (3) 6-6-006-005-0000, (3) 7-2-004-004-0000, (3) 7-5-



1 010-016-0000, (3) 7-2-006-017-0000, (3) 8-6-001-003-0000, (3) 8-  
2 7-001-014-0000, (3) 8-7-004-005-0000, (3) 8-7-004-007-0000, (3)  
3 8-7-004-008-0000, (3) 8-7-004-009-0000, (3) 8-7-004-010-0000,  
4 (3) 9-3-003-035-0000, (3) 9-3-003-036-0000, (3) 9-5-005-003-  
5 0000, (3) 9-5-006-001-0000, (3) 9-5-012-002-0000, (3) 9-5-012-  
6 018-0000, (3) 9-5-012-019-0000, (3) 9-5-012-020-0000, (3) 9-5-  
7 013-001-0000, (3) 9-5-019-001-0000, (3) 9-5-019-002-0000, (3) 9-  
8 5-019-017-0000, (3) 9-6-002-005-0000, (3) 9-6-002-010-0000, (3)  
9 9-6-002-013-0000, (3) 9-6-011-002-5000, (3) 9-6-012-004-0000,  
10 (3) 9-8-001-002-0000, (3) 9-8-001-003-0000, (3) 9-8-001-006-  
11 0000, (3) 9-8-001-009-0000, (3) 9-8-001-010-0000, and (3) 9-8-  
12 001-013-0000.

13 (b) Upon mutual agreement and approval of the board of  
14 agriculture and the board of land and natural resources, certain  
15 assets, including position counts, related to the management of  
16 existing non-agricultural park lands transferred by this Act and  
17 related facilities shall be transferred from the department of  
18 land and natural resources to the department of agriculture.

19 (c) Lands transferred pursuant to this Act shall be:



# S.B. NO. 2812

1 (1) Included in and subject to the requirements of the  
 2 program established pursuant to section 166E-3(b),  
 3 Hawaii Revised Statutes; and

4 (2) Subject to section 166E-3(c), Hawaii Revised Statutes.

5 (d) The department of land and natural resources and  
 6 department of agriculture shall jointly submit reports to the  
 7 legislature no later than twenty days prior to the convening of  
 8 the regular sessions of 2023 and 2024 on their efforts to comply  
 9 with this Act. The reports shall include:

10 (1) A list of all lands transferred pursuant to this Act;

11 (2) A list of all lands in subsection (a) that have not  
 12 been transferred to the department of agriculture and  
 13 an explanation of why each of those lands have not  
 14 been transferred; and

15 (3) Proposed legislation, if necessary.

16 SECTION 4. There is appropriated out of the non-  
 17 agricultural park lands special fund established pursuant to  
 18 section 166E-7, Hawaii Revised Statutes, the sum of \$ or  
 19 so much thereof as may be necessary for fiscal year 2020-2021  
 20 for the purposes of section 3 of this Act.



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1        The sum appropriated shall be expended by the department of  
 2        agriculture for the purposes of this Act; provided that upon  
 3        approval of the chairperson of the board of agriculture, funds  
 4        may be allocated to and expended by the department of land and  
 5        natural resources for the purposes of this Act.

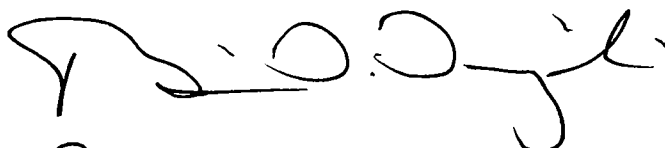
6        SECTION 5. New statutory material is underscored.

7        SECTION 6. This Act shall take effect on July 1, 2020.

8

INTRODUCED BY: \_\_\_\_\_





Rosaly de Bah



Clarence Orshibem



# S.B. NO. 2812

**Report Title:**

HDOA; DLNR; Non-agricultural Park Lands; Land Transfer;  
Deadline; Appropriation

**Description:**

Clarifies that agriculture activities in non-agricultural park lands may include the care and production of pasture lands. Requires the transfer of certain lands from the Department of Land and Natural Resources to the Department of Agriculture. Requires reports to the Legislature on compliance with the land transfers. Appropriates funds.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

