

JAN 20 2023

A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF AGRICULTURE.

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

1 SECTION 1. The purpose of this Act is to grant the
2 department of agriculture the statutory power to acquire,
3 acquire by grant, or purchase any real, personal, or mixed
4 property for its immediate or future use and within the
5 parameters of its mandate.

6 SECTION 2. Section 141-1, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "**§141-1 Duties in general.** The department of agriculture
9 shall:

10 (1) Gather, compile, and tabulate, from time to time,
11 information and statistics concerning:

12 (A) Entomology and plant pathology: Insects, scales,
13 blights, and diseases injurious or liable to
14 become injurious to trees, plants, or other
15 vegetation, and the ways and means of
16 exterminating pests and diseases already in the



1 State and preventing the introduction of pests
2 and diseases not yet in the State; and

3 (B) General agriculture: Fruits, fibres, and useful
4 or ornamental plants and their introduction,
5 development, care, and manufacture or
6 exportation, with a view to introducing,
7 establishing, and fostering new and valuable
8 plants and industries;

9 (2) Encourage and cooperate with the agricultural
10 extension service and agricultural experiment station
11 of the University of Hawaii and all private persons
12 and organizations doing work of an experimental or
13 educational character coming within the scope of the
14 subject matter of chapters 141, 142, and 144 to 150A,
15 and avoid, as far as practicable, duplicating the work
16 of those persons and organizations;

17 (3) Enter into contracts, cooperative agreements, or other
18 transactions with any person, agency, or organization,
19 public or private, as may be necessary in the conduct
20 of the department's business and on any terms the
21 department may deem appropriate; provided that the



1 department shall not obligate any funds of the State,
2 except the funds that have been appropriated to the
3 department. Pursuant to cooperative agreement with
4 any authorized federal agency, employees of the
5 cooperative agency may be designated to carry out, on
6 behalf of the State the same as department personnel,
7 specific duties and responsibilities under chapters
8 141, 142, and 150A, and rules adopted pursuant to
9 those chapters, for the effective prosecution of pest
10 control and animal disease control and the regulation
11 of import into the State and intrastate movement of
12 regulated articles;

13 (4) Secure copies of the laws of other states,
14 territories, and countries, and other publications
15 germane to the subject matters of chapters 141, 142,
16 and 144 to 150A, and make laws and publications
17 available for public information and consultation;

18 (5) Provide buildings, grounds, apparatus, and
19 appurtenances necessary for the examination,
20 quarantine, inspection, and fumigation provided for by
21 chapters 141, 142, and 144 to 150A; for the obtaining,



1 propagation, study, and distribution of beneficial
2 insects, growths, and antidotes for the eradication of
3 insects, blights, scales, or diseases injurious to
4 vegetation of value and for the destruction of
5 injurious vegetation; and for carrying out any other
6 purposes of chapters 141, 142, and 144 to 150A;

7 (6) Formulate and recommend to the governor and
8 legislature additional legislation necessary or
9 desirable for carrying out the purposes of chapters
10 141, 142, and 144 to 150A;

11 (7) Publish at the end of each year a report of the
12 expenditures and proceedings of the department and of
13 the results achieved by the department, together with
14 other matters germane to chapters 141, 142, and 144 to
15 150A and that the department may deem proper;

16 (8) Administer a program of agricultural planning and
17 development, including the formulation and
18 implementation of general and special plans, including
19 but not limited to the functional plan for
20 agriculture; administer the planning, development, and
21 management of the agricultural park program; plan,



1 construct, operate, and maintain the state irrigation
2 water systems; plan, design, construct, operate,
3 manage, maintain, repair, demolish, and remove
4 infrastructure or improvements on any lands under the
5 jurisdiction of the department; review, interpret, and
6 make recommendations with respect to public policies
7 and actions relating to agricultural land and water
8 use; assist in research, evaluation, development,
9 enhancement, and expansion of local agricultural
10 industries; and serve as liaison with other public
11 agencies and private organizations for the above
12 purposes. In the foregoing, the department shall act
13 to conserve and protect agricultural lands and
14 irrigation water systems, promote diversified
15 agriculture, increase agricultural self-sufficiency,
16 and ensure the availability of agriculturally suitable
17 lands; [~~and~~]

18 (9) Manage, administer, and exercise control over any
19 public lands, as defined under section 171-2, that are
20 designated important agricultural lands pursuant to
21 section 205-44.5, including but not limited to



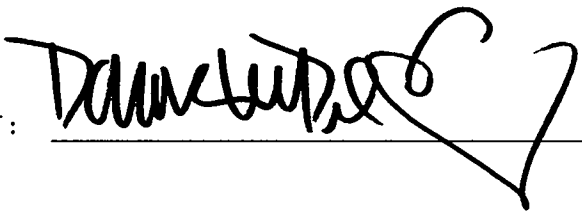
1 establishing priorities for the leasing of these
 2 public lands within the department's jurisdiction[-];
 3 and

4 (10) Acquire or contract to acquire by grant or purchase
 5 any real, personal, or mixed property or any interest
 6 therein as may be necessary for its immediate or
 7 future use for the purposes of this chapter; own,
 8 hold, improve, and rehabilitate any real, personal, or
 9 mixed property acquired, and sell, assign, exchange,
 10 transfer, convey, lease, or otherwise dispose of, or
 11 encumber the same as deemed appropriate by the
 12 department."

13 SECTION 3. Statutory material to be repealed is bracketed
 14 and stricken. New statutory material is underscored.

15 SECTION 4. This Act shall take effect upon its approval.

16

INTRODUCED BY: 



S.B. NO. 831

Report Title:

Department of Agriculture; Statutory Powers; Property Ownership

Description:

Grants the Department of Agriculture the statutory power to own land/property for immediate or future use.

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

