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## 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. Section 26-16, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§26-16 Department of agriculture.** (a) The department of  
4 agriculture shall be headed by an executive board to be known as  
5 the board of agriculture.

6           The board shall consist of ten members:

- 7           (1) One who shall be a resident of the county of Hawaii;  
8           (2) One who shall be a resident of the county of Maui;  
9           (3) One who shall be a resident of the county of Kauai;  
10          (4) Four at large;  
11          (5) The chairperson of the board of land and natural  
12             resources, who shall serve as an ex officio voting  
13             member;  
14          (6) The director of business, economic development, and  
15             tourism, who shall serve as an ex officio voting  
16             member; and



1           (7) The dean of the University of Hawaii college of  
2           tropical agriculture and human resources, who shall  
3           serve as an ex officio voting member.

4 The majority of the members of the board shall be from the  
5 agricultural community or the agricultural support sector. The  
6 appointment, tenure, and removal of the members and the filling  
7 of vacancies on the board shall be as provided in section 26-34.  
8 The governor shall appoint a chairperson of the board from the  
9 members.

10           (b) The board may delegate to the chairperson such duties,  
11 powers, and authority, or so much thereof, as may be lawful or  
12 proper for the performance of the functions vested in the board.

13           The chairperson of the board shall serve in a full-time  
14 capacity. The chairperson shall, in that capacity:

15           (1) Perform such duties and exercise such powers and  
16           authority, or so much thereof, as may be delegated to  
17           the chairperson by the board; and

18           (2) Identify problems related to agriculture and the  
19           appropriate state agencies and departments needed to  
20           solve the problem. With the approval of the governor,  
21           the designated agencies shall provide any necessary



1 assistance to the chairperson until the problem is  
2 resolved.

3 (c) The board, by a majority vote of its members, shall  
4 appoint and may remove an executive officer to be known as the  
5 director of agriculture. The director may be appointed for a  
6 term of up to four years and may be terminated only for cause.  
7 Under policies established by the board, the director shall  
8 administer agricultural programs throughout the state, and such  
9 other programs as may be established by law.

10 [~~e~~] (d) The department shall:

- 11 (1) Promote the conservation, development, and utilization  
12 of agricultural resources in the State;
- 13 (2) Assist the farmers of the State and any others engaged  
14 in agriculture by research projects, dissemination of  
15 information, crop and livestock reporting service,  
16 market news service, and any other means of improving  
17 the well-being of those engaged in agriculture and  
18 increasing the productivity of the lands;
- 19 (3) Administer the programs of the State relating to  
20 animal husbandry, entomology, farm credit, development  
21 and promotion of agricultural products and markets,



1           and the establishment and enforcement of the rules on  
2           the grading and labeling of agricultural products; and  
3       (4) Administer the aquaculture program under section 141-  
4           2.5.

5       [~~(d)~~] (e) The functions and authority heretofore exercised  
6 by the board of commissioners of agriculture and forestry  
7 (except the management of state parks and the conservation,  
8 development, and utilization of forest resources, including  
9 regulatory powers over the forest reserve provided in Act 234,  
10 section 2, Session Laws of Hawaii 1957, and of fish and game  
11 resources transferred to the department of land and natural  
12 resources), by the farm loan board as heretofore constituted,  
13 and by the University of Hawaii with respect to the crop and  
14 livestock reporting service and market news service, are  
15 transferred to the department of agriculture established by this  
16 chapter."

17       SECTION 2. Chapters 148, 149A, 150A, 219, and 486, and  
18 sections 128E-2, 142-23.1, 142-31, 144-10, 145-28, 155-4, 155-  
19 6.5, 155-13, 155-14, 163D-3, 166-4, 167-6, 167-19, 195-6, 210D-  
20 5, 279A-4, and 460J-2, Hawaii Revised Statutes, are amended by  
21 substituting the words "director of agriculture", "director", or  
22 like term, wherever the words "chairperson of the board of



1 agriculture", "chairperson of the board", "chairperson", or like  
2 term, appear, as the context requires.

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

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

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

*Lyla B. Berg*

*[Signature]*  
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JAN 22 2007



**Report Title:**

Director of Agriculture; Chairperson of the Board of Agriculture

**Description:**

Separates the positions of the Director of Agriculture and the chairperson of the Board of Agriculture.

