



1 its projects. The plans shall include a proposal for the  
2 organization of the enterprise, a marketing information and  
3 strategy, the impact on existing agricultural operations  
4 throughout the State, and a recommendation for the construction,  
5 reconstruction, rehabilitation, improvement, alteration, or  
6 repair of any infrastructure or accessory facilities in  
7 connection with any project.

8 (c) The corporation may enter into cooperative agreements  
9 with coordinating entrepreneurs or public agencies when the  
10 powers, services, and capabilities of the persons or agencies  
11 are deemed necessary and appropriate for the development and  
12 implementation of the business and agricultural development  
13 plans.

14 (d) The corporation may purchase, accept, and maintain  
15 permanent conservation easements, or transfer these easements to  
16 a qualified land trust in accordance with the federal Natural  
17 Resources Conservation Service farm and ranch lands protection  
18 program.

19 (e) Notwithstanding any provision of this chapter to the  
20 contrary, when leasing corporation-controlled agricultural land,  
21 the corporation may contract with a financial institution  
22 chartered under chapter 412 or a federal financial institution,



1 as defined under section 412:1-109, that transacts business in  
2 this State to provide lease management services. For the  
3 purposes of this subsection, "lease management services"  
4 includes the collection of lease rent and any other moneys owed  
5 to the corporation related to the lease of agricultural land  
6 under the corporation's control.

7 [~~(d)~~] (f) The agricultural planning activities of the  
8 corporation shall be coordinated with the county planning  
9 departments and the county land use plans, policies, and  
10 ordinances.

11 [~~(e)~~] (g) The corporation may amend the business and  
12 agricultural development plans as may be necessary.

13 [~~(f)~~] (h) Any undertaking by the corporation pursuant to  
14 this chapter shall be with the express written consent of the  
15 landowner or landowners directly affected."

16 **PART II**

17 SECTION 3. The purpose of this part is to ensure the long-  
18 term availability of lands suitable for agricultural activities  
19 by authorizing the agribusiness development corporation to lease  
20 lands acquired under this Act for up to fifty-five years.

21 SECTION 4. Section 163D-15.6, Hawaii Revised Statutes, is  
22 amended to read as follows:





1 promotion of farm ownership and diversified agriculture, by  
2 establishing a process to ensure that certain lands in the Kunia  
3 and Ewa areas on Oahu:

- 4 (1) Remain available for agricultural use;
- 5 (2) Are properly managed to ensure continued economic  
6 viability while used for agriculture; and
- 7 (3) Are managed in a manner that is sensitive to and  
8 consistent with the needs of farmers in the Kunia and  
9 Ewa area.

10 The legislature finds that this Act is in accordance with  
11 article XI, sections 3 and 10 of the state constitution, is in  
12 the public interest, and will preserve agricultural activities  
13 in the area and a lifestyle that benefits the Kunia and Ewa  
14 communities and the community at large.

15 SECTION 6. (a) The agribusiness development corporation  
16 may purchase privately-owned agricultural lands located in the  
17 Kunia and Ewa areas of Oahu.

18 (b) The agribusiness development corporation may purchase  
19 the lands with moneys appropriated under section 8 of this Act.

20 (c) The agribusiness development corporation shall submit  
21 to the legislature a progress report on its actions to obtain



1 the Kunia and Ewa agricultural lands no later than twenty days  
2 prior to the convening of the 2008 regular session.

3 SECTION 7. Section 163D-9, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5 "(a) The corporation, with the approval of the governor,  
6 may issue, from time to time, revenue bonds in amounts not  
7 exceeding the total amount of bonds authorized to be issued by  
8 the legislature for the purpose of constructing, acquiring,  
9 remodeling, furnishing, and equipping any project facility,  
10 including the acquisition of the site thereof[-], or acquiring  
11 agricultural lands through purchase to sustain and preserve  
12 viable agricultural enterprises within a contiguous geographic  
13 area."

14 SECTION 8. There is appropriated out of the general  
15 revenues of the State of Hawaii the sum of \$9,200,000, or so  
16 much thereof as may be necessary for fiscal year 2007-2008, for  
17 purchasing agricultural lands owned by private entities in Kunia  
18 and Ewa on the island of Oahu.

19 The sum appropriated shall be expended by the agribusiness  
20 development corporation for the purposes of this Act.

21 **PART IV**



1 SECTION 9. In codifying this Act, the revisor of statutes  
2 shall insert the appropriate number of this Act in section 4.

3 SECTION 10. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5 SECTION 11. This Act shall take effect on July 1, 2007.



**Report Title:**

Agricultural Lands; Agribusiness; Kunia; Ewa

**Description:**

Authorizes the agribusiness development corporation to purchase agricultural land in Kunia and Ewa from private entities. Appropriates funds to purchase the lands. Enables the agribusiness development corporation to contract with banks to provide lease management services. Allows corporation to lease agricultural lands in Kunia and Ewa for up to 55 years. Appropriates funds. (CD1)

