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# A BILL FOR AN ACT

RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS.

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

1           SECTION 1. The legislature finds that Act 90, Session Laws  
2 of Hawaii 2003 (Act 90), was enacted to transfer certain non-  
3 agricultural park lands from the department of land and natural  
4 resources to the department of agriculture. While three hundred  
5 parcels consisting of approximately nineteen thousand acres have  
6 been transferred over the past seventeen years, many parcels  
7 have not been transferred.

8           The legislature further finds that many state pasture  
9 lessees have requested the department of land and natural  
10 resources to transfer their leases to the department of  
11 agriculture for management because the department of agriculture  
12 has greater flexibility under chapter 166E, Hawaii Revised  
13 Statutes, to amend, extend, and issue new leases by negotiation.  
14 The department of land and natural resources has not acted on  
15 the requests of its pasture lessees because of the high natural  
16 resource value of certain pasture lands, their proximity to



1 forest reserves, or their importance in providing access to  
2 other public lands for hunting or public recreation purposes.

3 The legislature believes that positive advancement in  
4 sustainable agriculture, carbon sequestration challenges,  
5 wildlife management, wildfire protection, and forest health  
6 concerns can be cooperatively managed through mutually  
7 beneficial practices with ranching, wildlife protection, and  
8 native forest restoration.

9 The purpose of this Act is to establish a working group of  
10 legislators and administration officials to:

11 (1) Ascertain the process and status of the transfer of  
12 non-agricultural park lands from the department of  
13 land and natural resources to the department of  
14 agriculture pursuant to Act 90 and chapter 166E,  
15 Hawaii Revised Statutes, regarding non-agricultural  
16 park lands; and

17 (2) Determine the challenges and potential remedies  
18 necessary to facilitate the process of fulfilling the  
19 purposes of Act 90.



1 SECTION 2. (a) There is established a working group to:

2 (1) Ascertain the process and status of the transfer of  
3 non-agricultural park lands from the department of  
4 land and natural resources to the department of  
5 agriculture pursuant to Act 90, Session Laws of  
6 Hawaii 2003, and chapter 166E, Hawaii Revised  
7 Statutes, regarding non-agricultural park lands; and  
8 (2) Determine the challenges and potential remedies  
9 necessary to facilitate the process of fulfilling the  
10 purposes of Act 90, Session Laws of Hawaii 2003.

11 (b) The working group shall consist of the following  
12 individuals:

13 (1) The chair and vice chair of the Senate standing  
14 committee with primary jurisdiction over water and  
15 land;

16 (2) The chair and vice chair of the House of  
17 Representatives standing committee with primary  
18 jurisdiction over water and land;



- 1 (3) The chairperson of the board of land and natural  
2 resources, or the chairperson's designee;
- 3 (4) The administrator of the division of forestry and  
4 wildlife of the department of land and natural  
5 resources, or the administrator's designee;
- 6 (5) The administrator of the land division of the  
7 department of land and natural resources, or the  
8 administrator's designee;
- 9 (6) The chairperson of the board of agriculture, or the  
10 chairperson's designee; and
- 11 (7) The administrator of the agricultural resource  
12 management division of the department of agriculture,  
13 or the administrator's designee.
- 14 (c) The working group shall conduct its work through  
15 meetings, informational briefings, and consultation with state  
16 pasture lessees, agriculture lessees, and others.
- 17 (d) The working group shall prepare and submit a report of  
18 its findings, including any proposed legislation, to the  
19 legislature by December 31, 2021.
- 20 (e) The department of land and natural resources and  
21 department of agriculture shall provide any necessary



- 1 administrative support, including preparation of the report
- 2 required by subsection (d), to the working group.
- 3 SECTION 3. This Act shall take effect upon its approval.



**Report Title:**

Working Group; Non-agricultural Park Lands; Department of Land and Natural Resources; Department of Agriculture

**Description:**

Establishes a working group to: (1) Ascertain the process and status of the transfer of non-agricultural park lands from the department of land and natural resources to the department of agriculture pursuant to Act 90, SLH 2003 (Act 90) and chapter 166E, Hawaii Revised Statutes, regarding non-agricultural park lands; and (2) Determine the challenges and potential remedies necessary to facilitate the process of fulfilling the purposes of Act 90. (CD1)

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

