
A BILL FOR AN ACT

RELATING TO LAND LEASES.

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 Act 139, Session Laws of
9 Hawaii 2021, established the Act 90 working group to determine
10 the process, status, challenges, and potential remedies
11 regarding the transfer of non-agricultural park lands to fulfill
12 the purposes of Act 90.

13 The purpose of this Act is to adopt a recommendation from
14 the Act 90 working group that authorizes the board of land and
15 natural resources to:

- 16 (1) Amend and extend existing pasture leases for up to
17 sixty-five years;



(2) Issue new pasture leases by negotiation, if the lands are already under pastoral use; and

(3) Develop agricultural and pasture lease rents based on the value of the land's agricultural uses.

SECTION 2. Chapter 171, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§171- Existing pasture leases; extension; negotiation; lease rents. (a) Notwithstanding any law to the contrary, the

board may amend and extend, for a maximum of sixty-five years, existing pasture leases in furtherance of public purposes that are the responsibility of the department to promote, including:

(1) Promoting sustainable food production; and

(2) Preserving and enhancing natural resource and public use.

(b) Notwithstanding section 171-59, the board may issue new pasture leases by negotiation; provided that:

(1) The lands are already under pastoral use; and

(2) The issuance of leases by negotiation furthers public purposes.



1 (c) Notwithstanding any law to the contrary, in developing
2 and calculating agricultural and pastoral lease rents, the board
3 may base such lease rents on the value of the land's
4 agricultural uses.

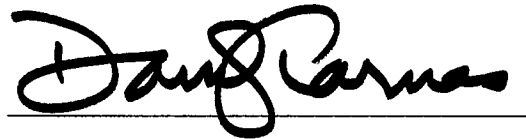
5 (d) The board shall adopt rules pursuant to chapter 91 to
6 carry out the purposes of this section."

7 SECTION 3. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun before its effective date.

10 SECTION 4. New statutory material is underscored.

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

12
INTRODUCED BY:



JAN 21 2022



H.B. NO. 1659

Report Title:

Pasture Leases; Agriculture; Department of Land and Natural Resources; Board of Land and Natural Resources

Description:

Authorizes the board of land and natural resources to: (1) Amend and extend existing pasture leases for up to sixty-five years; (2) Issue new pasture leases by negotiation, if the lands are already under pastoral use; and (3) Develop agricultural and pasture lease rents based on the value of the land's agricultural uses.

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