
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 authorize the
2 department of agriculture to acquire, acquire by grant, or
3 purchase any real, personal, or mixed property for its immediate
4 or future use and within the parameters of its mandate.

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

7 "**§141-1 Duties in general.** The department of agriculture
8 shall:

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

11 (A) Entomology and plant pathology: Insects, scales,
12 blights, and diseases injurious or liable to
13 become injurious to trees, plants, or other
14 vegetation, and the ways and means of
15 exterminating pests and diseases already in the
16 State and preventing the introduction of pests
17 and diseases not yet in the State; and



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

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

15 (3) Enter into contracts, cooperative agreements, or other
16 transactions with any person, agency, or organization,
17 public or private, as may be necessary in the conduct
18 of the department's business and on any terms the
19 department may deem appropriate; provided that the
20 department shall not obligate any funds of the State,
21 except the funds that have been appropriated to the



1 department. Pursuant to cooperative agreement with
2 any authorized federal agency, employees of the
3 cooperative agency may be designated to carry out, on
4 behalf of the State the same as department personnel,
5 specific duties and responsibilities under chapters
6 141, 142, and 150A, and rules adopted pursuant to
7 those chapters, for the effective prosecution of pest
8 control and animal disease control and the regulation
9 of import into the State and intrastate movement of
10 regulated articles;

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

16 (5) Provide buildings, grounds, apparatus, and
17 appurtenances necessary for the examination,
18 quarantine, inspection, and fumigation provided for by
19 chapters 141, 142, and 144 to 150A; for the obtaining,
20 propagation, study, and distribution of beneficial
21 insects, growths, and antidotes for the eradication of



1 insects, blights, scales, or diseases injurious to
2 vegetation of value and for the destruction of
3 injurious vegetation; and for carrying out any other
4 purposes of chapters 141, 142, and 144 to 150A;

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

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

14 (8) Administer a program of agricultural planning and
15 development, including the formulation and
16 implementation of general and special plans, including
17 but not limited to the functional plan for
18 agriculture; administer the planning, development, and
19 management of the agricultural park program; plan,
20 construct, operate, and maintain the state irrigation
21 water systems; plan, design, construct, operate,



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

16 (9) Manage, administer, and exercise control over any
17 public lands, as defined under section 171-2, that are
18 designated important agricultural lands pursuant to
19 section 205-44.5, including but not limited to
20 establishing priorities for the leasing of these



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

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

14 SECTION 4. This Act shall take effect on June 30, 3000.

15



S.B. NO. 831
H.D. 2

Report Title:

Department of Agriculture; Statutory Powers; Property Ownership

Description:

Authorizes the department of agriculture to acquire property for immediate or future use. Effective 6/30/3000. (HD2)

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