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# A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1 SECTION 1. Chapter 167, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§167- Irrigation repair and maintenance special fund.

5 (a) There is established in the state treasury the irrigation  
6 repair and maintenance special fund that shall be administered  
7 by the board.

8 (b) Moneys in the irrigation repair and maintenance  
9 special fund shall be used to fund repair and maintenance of the  
10 following irrigation systems:

11 (1) East Kauai irrigation system;

12 (2) Kekaha ditch;

13 (3) Kokee ditch;

14 (4) Maui Land/Pioneer Mill irrigation system;

15 (5) Waiahole ditch;

16 (6) Lower Hamakua irrigation system;

17 (7) Molokai irrigation system;

18 (8) Upcountry Maui irrigation system;



1       (9) Waimanalo irrigation system;

2       (10) Waimea irrigation system;

3       (11) East Maui irrigation system;

4       (12) Kauai coffee irrigation system;

5       (13) West Maui irrigation system;

6       (14) Kau irrigation system;

7       (15) Honomalino irrigation system;

8       (16) Wahiawa reservoir and ditch system; and

9       (17) Other privately-owned irrigation systems on former  
10       sugarcane and pineapple plantation lands that have  
11       been converted to diversified agriculture.

12       (c) The irrigation repair and maintenance special fund  
13       shall be funded by legislative appropriations, including general  
14       obligation bond funds and federal funds.

15       (d) Landowners may apply for funding assistance from the  
16       irrigation repair and maintenance special fund; provided that  
17       the landowner:

18       (1) Provides matching funding equal to the amount received  
19       from the irrigation repair and maintenance special  
20       fund;

21       (2) Agrees to file a petition for declaratory ruling  
22       pursuant to section 205-45 designating a majority of



1 all land served by the water produced by the  
2 irrigation system as important agricultural lands as  
3 defined under section 205-42 and notifies the board  
4 and county of the petition and designation for the  
5 purpose of inclusion on maps; and

6 (3) Agrees to use, or provide for the use of, all lands  
7 owned or controlled by the landowner and served by the  
8 water produced by the irrigation system for  
9 agricultural production.

10 The board shall develop processes, policies, standards, and  
11 criteria for selecting the landowners that are to receive  
12 funding and the amount of such funding. The board shall also  
13 develop processes, policies, standards, and criteria for  
14 determining the amount of funding provided to irrigation systems  
15 in subsection (b) owned by the State.

16 (e) As used in this section:

17 "Diversified agriculture" means agricultural operations  
18 that produce diversified agricultural products, including  
19 flowers, nursery products, vegetables, herbs, melons, seed  
20 crops, macadamia nuts, aquaculture, coffee, milk, cattle, eggs,  
21 hogs, and fruit.



1       "Irrigation system" means the agricultural system of  
2 intakes, diversions, wells, ditches, siphons, pipes, reservoirs,  
3 and accessory facilities established to provide water for  
4 agricultural production.

5       "Landowner" means a private entity that:

6       (1) Owns agricultural land, formerly used as a sugarcane  
7 or pineapple plantation, that contains a privately-  
8 owned irrigation system that is necessary for the  
9 sustained production of diversified agriculture on the  
10 land served by the irrigation system; or

11       (2) Owns, or partially owns, an irrigation system listed  
12 in subsection (b) (1) through (17)."

13       SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
14 amended by adding a new section to be appropriately designated  
15 and to read as follows:

16       "§302A- Vocational agriculture education program. (a)

17 The department shall establish and administer a vocational  
18 agriculture education program. The program shall include  
19 adequate staffing of individuals trained or experienced in the  
20 field of vocational agriculture to coordinate the program and to  
21 provide assistance to school districts for the coordination of



1 the activities of student agricultural organizations and  
2 associations.

3 (b) The vocational agriculture education program shall be  
4 administered by a director who shall:

5 (1) Assess the agricultural needs of the state and devise  
6 methods of meeting those needs with the vocational  
7 agriculture education program;

8 (2) Assist school districts in establishing vocational  
9 agriculture programs;

10 (3) Review school district applications for approval of  
11 vocational agriculture programs;

12 (4) Evaluate existing programs;

13 (5) Plan research and studies for the improvement of  
14 curriculum materials for specialty areas of vocational  
15 agriculture;

16 (6) Ensure that the standards and criteria developed under  
17 this section satisfy the mandates of federally-  
18 assisted vocational education;

19 (7) Develop in-service programs for teachers and  
20 administrators of vocational agriculture;

21 (8) Review applications for vocational agriculture teacher  
22 certification;



- 1        (9) Assist in teacher recruitment and placement in  
2        vocational agriculture programs;
- 3        (10) Serve as a liaison with the Future Farmers of America,  
4        representatives of business, industry, appropriate  
5        public agencies, and institutions of higher education  
6        to facilitate dissemination of information;
- 7        (11) Promote improvement of vocational agriculture  
8        programs;
- 9        (12) Assist in the development of adult and continuing  
10       education programs in vocational agriculture; and
- 11       (13) Establish an advisory task force of agriculturists,  
12       who represent the diverse areas of the agricultural  
13       industry in the state, that shall make annual  
14       recommendations on the development of curriculum,  
15       staffing, and strategies to establish a source of  
16       trained and qualified individuals in agriculture and  
17       strategies for developing the state program in  
18       vocational agriculture education, including youth  
19       leadership throughout the public schools.
- 20       (c) The department may adopt rules pursuant to chapter 91  
21       to effectuate this section."



1 SECTION 3. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$1,500,000 or so much  
3 thereof as may be necessary for fiscal year 2006-2007 to be  
4 deposited into the irrigation repair and maintenance special  
5 fund and used for the repair and maintenance of the irrigation  
6 systems specified under section 167- (b), Hawaii Revised  
7 Statutes; provided that \$1,500,000 in federal matching funds are  
8 also deposited into the irrigation repair and maintenance  
9 special fund.

10 The sum appropriated shall be expended by the department of  
11 budget and finance for the purposes of this Act.

12 SECTION 4. There is appropriated out of the irrigation  
13 repair and maintenance special fund the sum of \$3,000,000 or so  
14 much thereof as may be necessary for fiscal year 2006-2007 to be  
15 expended for the repair and maintenance of the irrigation  
16 systems specified under section 167- (b), Hawaii Revised  
17 Statutes.

18 The sum appropriated shall be expended by the board of  
19 agriculture for the purposes of this Act.

20 SECTION 5. There is appropriated out of the general  
21 revenues of the State of Hawaii the sum of \$11,886,000 or so



1 much thereof as may be necessary for fiscal year 2006-2007 for  
2 repair and maintenance of irrigation systems as follows:

- 3 (1) \$2,336,000 for the East Kauai irrigation system;
- 4 (2) \$500,000 for the Waimanalo irrigation system;
- 5 (3) \$2,500,000 for the Molokai irrigation system;
- 6 (4) \$4,850,000 for the Waimea irrigation system; and
- 7 (5) \$1,700,000 for the Lower Hamakua irrigation system.

8 The sum appropriated shall be expended by the department of  
9 agriculture for the purposes of this Act.

10 SECTION 6. There is appropriated out of the general  
11 revenues of the State of Hawaii the sum of \$100,000 or so much  
12 thereof as may be necessary for fiscal year 2006-2007 to carry  
13 out the purposes of section 2 of this Act.

14 The sum appropriated shall be expended by the department of  
15 education for the purposes of this Act.

16 SECTION 7. The appropriations made for the capital  
17 improvement irrigation repair and maintenance projects  
18 authorized in this Act shall not lapse at the end of the fiscal  
19 year for which the appropriations are made; provided that all  
20 moneys from the appropriations unencumbered as of June 30, 2008,  
21 shall lapse as of that date.





- 1 SECTION 8. New statutory material is underscored.
- 2 SECTION 9. This Act shall take effect on July 1, 2006.



**Report Title:**

Irrigation Repair and Maintenance Special Fund; Vocational  
Agriculture Education Program; Appropriations

**Description:**

Establishes the Irrigation Repair and Maintenance Special Fund. Appropriates funds for certain irrigation systems. Appropriates funds for the Special Fund, provided that the funds are matched with federal funds. Establishes the vocational agriculture education program in the Department of Education and appropriates funds for the program. (HB2179 CD1)

