



GOV. MSG. NO. 1207

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

June 14, 2013

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

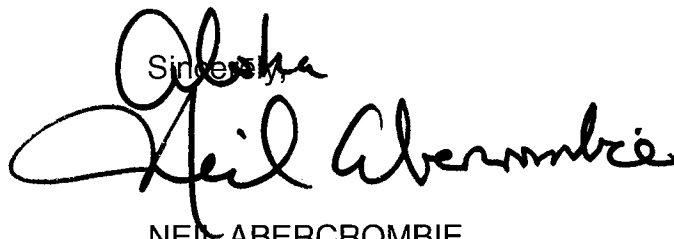
The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 14, 2013, the following bill was signed into law:

SB995 HD1 CD1

RELATING TO IRRIGATION WATER
DEVELOPMENT
ACT 107 (13)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO IRRIGATION WATER DEVELOPMENT.

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

1 SECTION 1. In 1987, the legislature determined that the
 2 development of irrigation was necessary for the development of
 3 agriculture in the State and enacted chapter 167, Hawaii Revised
 4 Statutes. Since that time, the agricultural resource management
 5 division has grown considerably. Where once the division dealt
 6 with \$2,000,000 in projects, it now oversees over \$100,000,000
 7 in projects.

8 Furthermore, in 2003, through Act 90, the legislature
 9 established the groundwork for the non-agricultural park lands
 10 program and consequently made the agricultural resource
 11 management division the largest land program within the
 12 department of agriculture. However, this growth in work volume
 13 and responsibility has not been matched by an increase in the
 14 necessary staffing. The agricultural resource management
 15 division has been forced to take on more responsibility with
 16 limited staffing and resources.

17 The purpose of this Act is to create the management
 18 framework necessary to oversee the agricultural resource



1 management division so that it can be expanded to meet the
2 growing responsibilities that the division faces.

3 SECTION 2. Section 167-3, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "[+]§167-3[+] Engineering program [~~manager~~] administrator.

6 The board of agriculture shall appoint a registered professional
7 engineer who shall act as engineering program [~~manager~~]
8 administrator of the irrigation water development program and
9 have such qualifications as the board may deem necessary. The
10 appointment and removal of the engineering program [~~manager~~]
11 administrator shall be in accordance with chapter 76 and the
12 engineering program [~~manager~~] administrator shall perform duties
13 as set forth by the board."

14 SECTION 3. Section 167-19, Hawaii Revised Statutes, is
15 amended by amending subsection (a) to read as follows:

16 "(a) All irrigation projects established pursuant to this
17 chapter shall be administered by the board of agriculture. In
18 making the final determination to establish a project, the board
19 shall:

- 20 (1) Determine the proportion of acreage assessments to be
- 21 borne by the agricultural land and pasture land within
- 22 the project; and



1 (2) Have the engineering program [~~manager~~] administrator
2 prepare a map setting forth in detail the exterior
3 boundaries of the lands to be included within the
4 project and an acreage assessment roll listing all
5 known land occupiers whose lands are to be included
6 within the project. The proportion of acreage
7 assessments to be borne by pasture land, at the
8 discretion of the board, may be less than but not more
9 than the proportion to be borne by agricultural land,
10 in which event the agricultural land shall be first
11 served with water in times of drought or shortage of
12 supply. The proportions to be borne by agricultural
13 and pasture lands shall be certified by the board and
14 shall not be changed after final determination to
15 establish the project, except in conjunction with a
16 redefinition of the boundaries of or consolidation or
17 separation of the project, and then only in the manner
18 and within the limitations specified in conjunction
19 therewith.

20 The board shall determine and certify on or before June 30 of
21 each year the amount of acreage assessments necessary in that
22 fiscal year for the acquisition, construction, operation, and

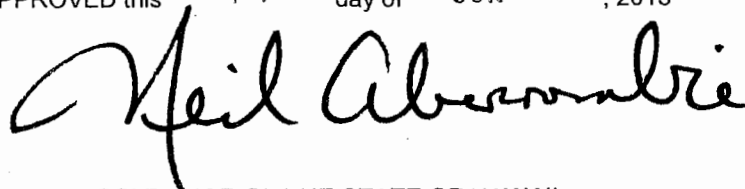


1 maintenance of irrigation facilities for each project, and the
2 acreage of agricultural and pasture land of each land occupier
3 within the project. The department shall immediately notify the
4 land occupiers of the amounts assessed on the respective
5 properties and the payment due date."

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

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

APPROVED this 14 day of JUN, 2013



GOVERNOR OF THE STATE OF HAWAII