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# 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 on July 1, 2050.



**Report Title:**

Irrigation Water Development

**Description:**

Allows for an Engineering Program Administrator to oversee the responsibilities mandated by chapter 167, Hawaii Revised Statutes, for irrigation water development. Effective July 1, 2050. (SB995 HD1)

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

