



**GOV. MSG. NO. 1213**

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

June 30, 2016

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Eighth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Eighth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

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

This is to inform you that on June 30, 2016, the following bill was signed into law:

HB2029 HD1 SD2 CD1

RELATING TO WATER INFRASTRUCTURE  
LOANS  
**ACT 171 (16)**

Sincerely,

A handwritten signature in black ink that reads "David Y. Ige".

DAVID Y. IGE  
Governor, State of Hawai'i

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# A BILL FOR AN ACT

RELATING TO WATER INFRASTRUCTURE LOANS.

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

1 SECTION 1. Chapter 155, Hawaii Revised Statutes, is  
2 amended by adding a new part to be appropriately designated and  
3 to read as follows:

4 "PART II. WATER INFRASTRUCTURE LOANS

5 §155-A Definitions. As used in this part:

6 "Department" means the department of agriculture.

7 "Water infrastructure charge" means the on-bill charges for  
8 the use and services of the loan program, including the  
9 repayment of loans made under the loan program to be imposed on  
10 water utility customers.

11 "Water infrastructure equipment" means infrastructure  
12 improvements, equipment, and personal property to be installed  
13 for dams, reservoirs, hydroelectric pumping, storm water  
14 reclamation, ditch maintenance, spillways, wells, water ducts,  
15 and water distribution systems.

16 "Water infrastructure loans" and "loan program" means the  
17 program established by this part and loans made to finance the  
18 purchase or installation of water infrastructure equipment for



1 dams, reservoirs, hydroelectric pumping, storm water  
2 reclamation, ditch maintenance, spillways, wells, water ducts,  
3 and water distribution systems.

4 "Water infrastructure special fund" means the special fund  
5 created pursuant to section 155-D.

6 §155-B Hawaii water infrastructure loan program. There is  
7 established a Hawaii water infrastructure loan program, which  
8 shall be a loan program as defined under section 39-51. The  
9 program shall be administered by the department in a manner  
10 consistent with chapter 39, part III. This loan program may  
11 include:

12 (1) Loans made, on terms approved by the department, to  
13 private entities, whether corporations, partnerships,  
14 limited liability companies, or other persons, which  
15 entities may lease or provide water infrastructure  
16 equipment to utility customers; and

17 (2) Direct loans to utility customers, on terms approved  
18 by the department.

19 §155-C Powers of the department. The department shall  
20 have the following powers:



- 1           (1) Make loans and expend funds to finance the purchase or  
2           installation of water infrastructure equipment for  
3           dams, reservoirs, hydroelectric pumping, storm water  
4           reclamation, ditch maintenance, spillways, wells,  
5           water ducts, and water distribution systems;
- 6           (2) Hold and invest moneys in the water infrastructure  
7           special fund in investments as permitted by law;
- 8           (3) Hire employees necessary to perform its duties;
- 9           (4) Enter into contracts for the service of consultants  
10           for rendering professional and technical assistance  
11           and advice, and any other contracts that are necessary  
12           and proper for the implementation of the loan program;
- 13           (5) Enter into contracts for the administration of the  
14           loan program, in accordance with chapter 103D;
- 15           (6) Establish loan program guidelines to carry out the  
16           purposes of this part;
- 17           (7) Perform all functions necessary to effectuate the  
18           purposes of this part;
- 19           (8) Delegate authority to the chairperson of the board of  
20           agriculture to approve loans where the requested  
21           amount plus any principal balance on existing loans to



1 the applicant does not exceed \$25,000 of state funds;  
2 and

3 (9) Adopt rules pursuant to chapter 91 necessary for the  
4 purpose of this part.

5 §155-D Hawaii water infrastructure special fund. (a)

6 There is established the Hawaii water infrastructure special  
7 fund into which shall be deposited:

8 (1) Water infrastructure charges received for the use and  
9 services of the loan program, including the repayment  
10 of loans made under the loan program;

11 (2) All other funds received by the department and legally  
12 available for the purposes of the water infrastructure  
13 special fund;

14 (3) Interest earnings on all amounts in the water  
15 infrastructure special fund; and

16 (4) Any other moneys permitted by the board of  
17 agriculture.

18 (b) Moneys in the water infrastructure special fund may be  
19 used for the purposes of:

20 (1) Making water infrastructure loans;

21 (2) Paying administrative costs of the loan program; or



1 (3) Paying any other costs related to the loan program."

2 SECTION 2. Chapter 155, Hawaii Revised Statutes, is  
3 amended by amending the title of the chapter to read as follows:

4 "AGRICULTURAL [~~LOAN~~] AND WATER INFRASTRUCTURE LOANS"

5 SECTION 3. Chapter 155, Hawaii Revised Statutes, is  
6 amended by designating sections 155-1 to 155-14 as part I and  
7 inserting a title before section 155-1 to read as follows:

8 "PART I. AGRICULTURAL LOAN PROGRAM"

9 SECTION 4. There is appropriated out of the general  
10 revenues of the State of Hawaii the sum of \$800,000 or so much  
11 thereof as may be necessary for fiscal year 2016-2017 for  
12 deposit into the Hawaii water infrastructure special fund.

13 There is appropriated out of the Hawaii water  
14 infrastructure special fund the sum of \$800,000 or so much  
15 thereof as may be necessary for fiscal year 2016-2017 for the  
16 purposes of the fund.

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

19 SECTION 5. In codifying the new sections added by  
20 section 1 of this Act, the revisor of statutes shall substitute



1 appropriate section numbers for the letters used in designating  
2 the new sections in this Act.

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

5 SECTION 7. This Act shall take effect on July 1, 2016.

APPROVED this 30 day of JUN, 2016



GOVERNOR OF THE STATE OF HAWAII

