

STAND. COM. REP. NO.

**1059**

Honolulu, Hawaii

**MAR 1 - 2019**

RE: S.B. No. 223  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 223, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO IRRIGATION,"

begs leave to report as follows:

The purpose and intent of this measure is to ensure the continued efficient operation of irrigation systems in the State.

Specifically, this measure:

- (1) Transfers operational authority of certain portions of the East Kauai irrigation system to the Department of Agriculture;
- (2) Funds operations and maintenance of the East Kauai irrigation system, including staffing positions for the Department of Agriculture's Agricultural Resource Management Division; and
- (3) Authorizes the issuance of general obligations bonds to increase state irrigation system capacity statewide.

Your Committee received written comments in support of this measure from the Department of Agriculture; East Kauai Water Users' Cooperative; Kalepa Koalition; Saiva Siddhanta Church;



Hawaii Farm Bureau; Larry Jefts Farms, LLC; and Hawaii Cattlemens Council.

Your Committee finds that this measure allows for continued irrigation access while addressing significant operations and maintenance permitting issues. Your Committee further finds that this measure will increase state-controlled irrigation system capacity statewide in support of the State's goal of increasing local food production.

Additionally, your Committee finds that the issuance of general obligation bonds in the sum of \$2,000,000 for fiscal year 2019-2020 to increase state-controlled irrigation system capacity statewide and an appropriation of \$500,000 for fiscal year 2020-2021 for the operation and maintenance of the East Kauai irrigation system are necessary to achieve the intent of this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the three-year water licensing deadline referenced in section 1, subsection (e) of the measure is for a stream diversion works permit that may be extended until July 1, 2021;
- (2) Clarifying that the "significant progress" the applicant must demonstrate to be granted an extension of the three-year deadline shall include, at minimum, the submission of a completed stream diversion works permit application;
- (3) Changing the amounts authorized for general obligation bond issuance and the amount of general funds appropriated for the operation and maintenance of the East Kauai irrigation system to unspecified amounts;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (5) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 223, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 223, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,



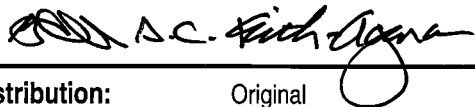
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DONOVAN M. DELA CRUZ, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 223, SD 1	AEN, WAM	2/12/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
HARIMOTO, Breene	X			
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i				X
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.				X
TANIGUCHI, Brian T.	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	11			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes