
A BILL FOR AN ACT

RELATING TO IRRIGATION.

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

1 SECTION 1. (a) The following positions are established
2 within the agricultural resource management division of the
3 department of agriculture:

- 4 (1) full-time equivalent (FTE) irrigation
5 district manager position (SR21);
6 (2) full-time equivalent (FTE) irrigation system
7 worker II positions (BC07); and
8 (3) full-time equivalent (FTE) office assistant
9 III position (SR08).

10 (b) The portions of the east Kauai irrigation system
11 operated and maintained by the east Kauai water users'
12 cooperative as of July 1, 2019, may be placed under the
13 operational authority of the department of agriculture until
14 such time that:

- 15 (1) The department of agriculture's adoption of rules
16 pursuant to chapter 91, Hawaii Revised Statutes, for



1 the operation and maintenance of the system is
2 completed; or

3 (2) A determination is made that the system can be
4 appropriately operated and maintained pursuant to
5 chapters 167 and 168, Hawaii Revised Statutes.

6 Until the system is transferred to the appropriate program, the
7 operational authority shall not be governed by chapter 167 or
8 168, Hawaii Revised Statutes, for acreage assessment or water
9 delivery fees. The department of agriculture may contract with
10 the east Kauai water users' cooperative to authorize the
11 cooperative to bill and collect any fees from the users of the
12 irrigation system and to enter into any and all contracts
13 necessary to operate and maintain the system, including
14 operation and maintenance contracts while positions are filled.
15 All fees collected by the east Kauai water users' cooperative
16 shall be deposited into the general fund of the State by the
17 department of agriculture.

18 (c) The three-year water licensing deadline may be
19 extended for up to two years; provided that the applicant
20 demonstrates significant progress in the permit application
21 process.



1 SECTION 2. All appropriations, records, equipment,
 2 machines, files, supplies, contracts, books, papers, documents,
 3 maps, and other personal property heretofore made, used,
 4 acquired, or held by the east Kauai water users' cooperative
 5 relating to the functions transferred to the department of
 6 agriculture shall be listed in a full accounting to the
 7 department of agriculture with the functions to which they
 8 relate.

9 SECTION 3. The director of finance is authorized to issue
 10 general obligation bonds in the sum of \$ or so much
 11 thereof as may be necessary and the same sum or so much thereof
 12 as may be necessary is appropriated for fiscal year 2019-2020
 13 for the purpose of assisting the department of agriculture's
 14 agricultural resource management division with plans, designs,
 15 land acquisition, and equipment to increase state irrigation
 16 system capacity statewide, including:

- 17 (1) \$ for planning;
- 18 (2) \$ for design;
- 19 (3) \$ for land acquisition; and
- 20 (4) \$ for equipment.



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

3 SECTION 4. The appropriation made for the capital
4 improvement project authorized by section 3 of this Act shall
5 not lapse at the end of the fiscal biennium for which the
6 appropriation is made; provided that all moneys from the
7 appropriation unencumbered as of June 30, 2022, shall lapse as
8 of that date.

9 SECTION 5. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$ or so much
11 thereof as may be necessary for fiscal year 2019-2020 and the
12 same sum or so much thereof as may be necessary for fiscal year
13 2020-2021 for the operations and maintenance of the east Kauai
14 irrigation system, including the following agricultural resource
15 management division staff salaries and expenses:

16 (1) full-time equivalent (FTE) irrigation
17 district manager position (SR21) established pursuant
18 to this Act;

19 (2) full-time equivalent (FTE) irrigation system
20 worker II positions (BC07) established pursuant to
21 this Act;



1 (3) full-time equivalent (FTE) office assistant
2 III position (SR08) established pursuant to this Act;

3 (4) Fifty per cent of the funding for the engineering
4 program manager position (EM07-PN: 40998); and

5 (5) Fifty per cent of the funding for the agricultural
6 lands program manager position (EM05-PN: 122475).

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

9 SECTION 6. This Act shall take effect on July 1, 2150.



Report Title:

East Kauai Irrigation System; Transfer of Operational Authority;
DOA; DLNR; Appropriation

Description:

Permits the transfer of operational authority over the portions of the East Kauai irrigation system operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2019, to the Department of Agriculture upon adoption of rules. Establishes positions within the Agricultural Resource Management Division. Authorizes GO bonds. Makes an appropriation. (HB769 HD1)

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