

JAN 18 2019

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 department of agriculture's agricultural resource
3 management division:

4 (1) One full-time equivalent (1.0 FTE) irrigation district
5 manager position (SR21);

6 (2) Three full-time equivalent (3.0 FTE) irrigation system
7 worker II positions (BC07); and

8 (3) One full-time equivalent (1.0 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, shall be placed under the
13 operational authority of the department of agriculture until the
14 adoption of rules pursuant to chapter 91, Hawaii Revised
15 Statutes, is completed or until a determination is made that the
16 system can be appropriately operated and maintained pursuant to
17 chapters 167 and 168, Hawaii Revised Statutes.



1 (c) Until the system is transferred to the appropriate
2 program, acreage assessment and water delivery fees shall not be
3 governed by chapter 167 or 168, Hawaii Revised Statutes. The
4 department of agriculture may contract with the east Kauai water
5 users' cooperative to bill and collect any fees and to enter
6 into any contracts necessary to operate and maintain the system
7 while positions are filled.

8 (d) The department of agriculture shall deposit all fees
9 collected by the east Kauai water users' cooperative into the
10 State's general fund.

11 (e) The three-year water licensing deadline may be
12 extended for up to two years; provided that the applicant
13 demonstrates significant progress in the permit application
14 process.

15 SECTION 2. All appropriations, records, equipment,
16 machines, files, supplies, contracts, books, papers, documents,
17 maps, and other property heretofore made, used, acquired, or
18 held by the east Kauai water users' cooperative relating to the
19 functions transferred to the department of agriculture shall be
20 transferred with the functions to which they relate and listed
21 and described in a full accounting to the department.



1 SECTION 3. The director of finance is authorized to issue
2 general obligation bonds in the sum of \$2,000,000 or so much
3 thereof as may be necessary and the same sum or so much thereof
4 as may be necessary is appropriated for fiscal year 2019-2020
5 for the purpose of assisting the agricultural resource
6 management division with plans, designs, land acquisition, and
7 equipment to increase state irrigation system capacity
8 statewide, including:

- 9 (1) \$1,997,000 for planning;
- 10 (2) \$1,000 for design;
- 11 (3) \$1,000 for land acquisition; and
- 12 (4) \$1,000 for equipment.

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

15 SECTION 4. The appropriation made for the capital
16 improvement project authorized by this Act shall not lapse at
17 the end of the fiscal biennium for which the appropriation is
18 made; provided that all moneys from the appropriation
19 unencumbered as of June 30, 2024, shall lapse as of that date.

20 SECTION 5. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$500,000 or so much



1 thereof as may be necessary for fiscal year 2019-2020 and the
2 same sum or so much thereof as may be necessary for fiscal year
3 2020-2021 for the operations and maintenance of the east Kauai
4 irrigation system, including the following agricultural resource
5 management division staff salaries:

6 (1) One full-time equivalent (1.0 FTE) irrigation district
7 manager position (SR21) established pursuant to this
8 Act;

9 (2) Three full-time equivalent (3.0 FTE) irrigation system
10 worker II positions (BC07) established pursuant to
11 this Act;

12 (3) One full-time equivalent (1.0 FTE) office assistant
13 III position (SR08) established pursuant to this Act;

14 (4) Fifty per cent of the funding for the engineering
15 program manager position (EM07-PN: 40998), which shall
16 be transferred from the non-agricultural park lands
17 special fund to the general fund; and

18 (5) Fifty per cent of the funding for the agricultural
19 lands program manager position (EM05-PN: 122475),
20 which shall be transferred from the agricultural park
21 special fund to the general fund.



S.B. NO. 223

Report Title:

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

Description:

Transfers operational authority over portions of the east Kauai irrigation system operated and maintained by the east Kauai water users' cooperative as of 7/1/19, to the Department of Agriculture. Establishes positions. Authorizes GO bonds. Appropriates funds.

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

