
A BILL FOR AN ACT

RELATING TO IRRIGATION.

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

1 SECTION 1. (a) The portions of the east Kauai irrigation
2 system operated and maintained by the east Kauai water users'
3 cooperative before December 15, 2020, shall be placed under the
4 operational authority of the department of agriculture until:
5 the board of agriculture adopts rules pursuant to chapter 91,
6 Hawaii Revised Statutes, for irrigation water development and
7 irrigation and water utilization with respect to the east Kauai
8 irrigation system; or until a determination is made that the
9 system can be appropriately operated and maintained pursuant to
10 chapters 167 and 168, Hawaii Revised Statutes.

11 (b) Until the system is transferred to the appropriate
12 program, acreage assessment and water delivery fees shall not be
13 governed by chapter 167 or 168, Hawaii Revised Statutes. The
14 department of agriculture may enter into any contracts necessary
15 to bill and collect any fees and to operate and maintain the
16 system.



1 (c) The department of agriculture shall deposit all fees
2 collected from the water users of the east Kauai irrigation
3 system into the general fund until the board of agriculture
4 adopts the rules described in subsection (a) or until the system
5 can be operated and maintained appropriately pursuant to
6 chapters 167 and 168, Hawaii Revised Statutes. Then, at such
7 time, the fees shall be deposited into the appropriate fund, if
8 applicable.

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

16 SECTION 3. Contingent upon the east Kauai irrigation
17 system becoming a state irrigation system under the department
18 of agriculture pursuant to this Act, the following positions
19 shall be established within the department of agriculture's
20 agricultural resource management division:



1 (1) One full-time equivalent (1.0 FTE) irrigation district
2 manager position;

3 (2) Three full-time equivalent (3.0 FTE) irrigation system
4 worker II positions; and

5 (3) One full-time equivalent (1.0 FTE) office assistant
6 position.

7 SECTION 4. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so
9 much thereof as may be necessary for fiscal year 2021-2022 and
10 the same sum or so much thereof as may be necessary for fiscal
11 year 2022-2023 for the operations and maintenance of the east
12 Kauai irrigation system.

13 The sums appropriated shall be expended by the department
14 of agriculture for the purposes of this Act; provided that no
15 funds shall be expended if the east Kauai irrigation system does
16 not become a state irrigation system under the department of
17 agriculture pursuant to this Act.

18 SECTION 5. This Act shall take effect on July 1, 2050.



S.B. NO. 179
S.D. 2
H.D. 1

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 before 12/15/20 to the Department of
Agriculture. Appropriates funds. Effective 7/1/2050. (HD1)

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not legislation or evidence of legislative intent.*

