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# 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) 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 (SR-08).

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, 2018, shall be placed under the  
13 operational authority of the department of agriculture until  
14 such time that adoption of rules pursuant to chapter 91, Hawaii  
15 Revised Statutes, are completed, or a determination is made that  
16 the system can be appropriately operated and maintained pursuant  
17 to chapters 167 and 168, Hawaii Revised Statutes. Until the



1 system is transferred to the appropriate program, the  
2 operational authority shall not be governed by chapter 167 or  
3 168, Hawaii Revised Statutes, for acreage assessment or water  
4 delivery fees. The department of agriculture may contract with  
5 the east Kauai water users' cooperative to bill and collect any  
6 fees from the users and enter into any and all contracts  
7 necessary to operate and maintain the system, including  
8 operation and maintenance contracts while positions are filled.  
9 All fees collected by the east Kauai water users' cooperative  
10 shall be deposited in the general fund of the State by the  
11 department of agriculture.

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

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



1 department of agriculture with the functions to which they  
2 relate.

3 SECTION 3. The director of finance is authorized to issue  
4 general obligation bonds in the sum of \$2,000,000 or so much  
5 thereof as may be necessary and the same sum or so much thereof  
6 as may be necessary is appropriated for fiscal year 2018-2019  
7 for the purpose of assisting the agricultural resource  
8 management division with plans, designs, land acquisition, and  
9 equipment to increase state irrigation system capacity  
10 statewide, including:

- 11 (1) \$1,997,000 for planning;  
12 (2) \$1,000 for design;  
13 (3) \$1,000 for land acquisition; and  
14 (4) \$1,000 for equipment.

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

17 SECTION 4. The appropriation made for the capital  
18 improvement project authorized by section 3 of this Act shall  
19 not lapse at the end of the fiscal biennium for which the  
20 appropriation is made; provided that all moneys from the



1 appropriation unencumbered as of June 30, 2023, shall lapse as  
2 of that date.

3 SECTION 5. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$500,000 or so much  
5 thereof as may be necessary for fiscal year 2018-2019 for the  
6 operations and maintenance of the east Kauai irrigation system,  
7 including the following agricultural resource management  
8 division staff salaries and expenses:

- 9 (1) One full-time equivalent (1.0 FTE) irrigation district  
10 manager position (SR21) established pursuant to this  
11 Act;
- 12 (2) Three full-time equivalent (3.0 FTE) irrigation system  
13 worker II positions (BC07) established pursuant to  
14 this Act;
- 15 (3) One full-time equivalent (1.0 FTE) office assistant  
16 III position (SR-08) established pursuant to this Act;
- 17 (4) Fifty per cent of the funding for the engineering  
18 program manager position (EM07-PN: 40998), which  
19 shall be transferred from the non-agricultural park  
20 lands special fund to the general fund; and



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

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

7 SECTION 6. This Act shall take effect on July 1, 2018.  
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**Report Title:**

East Kauai Irrigation System; Transfer of Operational Authority;  
Department of Agriculture; Appropriation

**Description:**

Transfers operational authority over the portions of the east Kauai irrigation system operated and maintained by the east Kauai water users' cooperative as of July 1, 2018, to the department of agriculture upon adoption of rules. Establishes positions within the agricultural resource management division. Authorizes GO bonds. Makes an appropriation. (SD1)

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

