A BILL FOR AN ACT

RELATING TO IRRIGATION.

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

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

(1) full-time equivalent (FTE) irrigation district manager position (SR21);

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

(3) full-time equivalent (FTE) office assistant III position (SR08).

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

(1) The department of agriculture's adoption of rules pursuant to chapter 91, Hawaii Revised Statutes, for
the operation and maintenance of the system is completed; or

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

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

(c) The three-year water licensing deadline may be extended for up to two years; provided that the applicant demonstrates significant progress in the permit application process.
SECTION 2. All appropriations, records, equipment, machines, files, supplies, contracts, books, papers, documents, maps, and other personal property heretofore made, used, acquired, or held by the east Kauai water users' cooperative relating to the functions transferred to the department of agriculture shall be listed in a full accounting to the department of agriculture with the functions to which they relate.

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

(1) $ for planning;
(2) $ for design;
(3) $ for land acquisition; and
(4) $ for equipment.
The sum appropriated shall be expended by the department of agriculture for the purposes of this Act.

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

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

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

(2) full-time equivalent (FTE) irrigation system worker II positions (BC07) established pursuant to this Act;
(3) full-time equivalent (FTE) office assistant III position (SR08) established pursuant to this Act;

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

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

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

SECTION 6. This Act shall take effect on July 1, 2019.
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.

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