JAN 28 2009

A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1 SECTION 1. Chapter 167, Hawaii Revised Statutes, is 2 amended by adding a new section to be appropriately designated 3 and to read as follows: 4 Agricultural water systems; agreement for power. 5 When an agricultural water system necessitates the use of 6 electrical power or backup generators to pump ground water for 7 irrigation, the person who controls, operates, or manages the system may negotiate an agreement for the production of power 8 9 for the agricultural water system." 10 SECTION 2. Section 209-10, Hawaii Revised Statutes, is 11 repealed. 12 ["[\$209-10] Agricultural water systems; emergency power. 13 When the governor has declared that a disaster has occurred for 14 any portion of the State, pursuant to section 209-2, which 15 results in damage to an agricultural water system that

necessitates the temporary use of electrical power or backup

generators to pump ground water for irrigation until the system

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- 1 can be repaired, the person who controls, operates, or manages
- 2 the system may negotiate an agreement for the production of
- 3 emergency power for the agricultural water system. The
- 4 agreement shall terminate when the governor determines that the
- 5 disaster emergency relief period is terminated.
- 6 If the negotiated agreement is with an independent power
- 7 producer that is not currently regulated by the public utilities
- 8 commission, the execution of the agreement shall not cause the
- 9 independent power producer to become subject to the jurisdiction
- 10 of the public utilities commission."]
- 11 SECTION 3. Statutory material to be repealed is bracketed
- 12 and stricken. New statutory material is underscored.
- 13 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

Medi John Montes Ont 15

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Report Title:

Agriculture; Water Systems; Power

Description:

Permits any person who controls, operates, or manages an agricultural water system to negotiate an agreement of power as deemed necessary.