

JAN 24 2018

# 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) One full-time equivalent (1.0 FTE) irrigation district manager position (SR21);

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

(3) One full-time equivalent (1.0 FTE) office assistant III position (SR-08).

(b) The portions of the east Kauai irrigation system operated and maintained by the east Kauai water users' cooperative as of July 1, 2018, shall be placed under the operational authority of the department of agriculture upon adoption of rules pursuant to chapter 91, Hawaii Revised Statutes, to implement this section. The operational authority shall not be governed by chapter 167 or 168, Hawaii Revised Statutes, for acreage assessment or water delivery fees. The



1 department of agriculture may contract with the east Kauai water  
2 users' cooperative to bill and collect any fees from the users  
3 and enter into any and all contracts necessary to operate and  
4 maintain the system, including operation and maintenance  
5 contracts while positions are filled. All fees collected by the  
6 east Kauai water users' cooperative shall be deposited in the  
7 general fund of the State by the department of agriculture.

8 (c) The three-year water licensing deadline may be  
9 extended for up to two years; provided that the applicant  
10 demonstrates significant progress in the permit application  
11 process.

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

20 SECTION 3. The director of finance is authorized to issue  
21 general obligation bonds in the sum of \$2,000,000 or so much



1 thereof as may be necessary and the same sum or so much thereof  
2 as may be necessary is appropriated for fiscal year 2018-2019  
3 for the purpose of assisting the agricultural resource  
4 management division with plans, designs, land acquisition, and  
5 equipment to increase state irrigation system capacity  
6 statewide, including:

- 7 (1) \$1,997,000 for planning;
- 8 (2) \$1,000 for design;
- 9 (3) \$1,000 for land acquisition; and
- 10 (4) \$1,000 for equipment.

11 SECTION 4. The appropriation made for the capital  
12 improvement project authorized by section 3 of this Act shall  
13 not lapse at the end of the fiscal biennium for which the  
14 appropriation is made; provided that all moneys from the  
15 appropriation unencumbered as of June 30, 2023, shall lapse as  
16 of that date.

17 SECTION 5. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$500,000 or so much  
19 thereof as may be necessary for fiscal year 2018-2019 for the  
20 operations and maintenance of the east Kauai irrigation system,



1 including the following agricultural resource management  
2 division staff salaries and expenses:

3 (1) One full-time equivalent (1.0 FTE) irrigation district  
4 manager position (SR21) established pursuant to this  
5 Act;

6 (2) Three full-time equivalent (3.0 FTE) irrigation system  
7 worker II positions (BC07) established pursuant to  
8 this Act;

9 (3) One full-time equivalent (1.0 FTE) office assistant  
10 III position (SR-08) established pursuant to this Act;

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

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

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



# S.B. NO. 2846

1 SECTION 6. This Act shall take effect on July 1, 2018.

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INTRODUCED BY: *M. J. Al.*  
By Request



# S.B. NO. 2846

**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.

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

