

ACT 133

H.B. NO. 632

A Bill for an Act Relating to Water Infrastructure Loans.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 155-31, Hawaii Revised Statutes, is amended by amending the definitions of “water infrastructure equipment”, “water infrastructure loans” and “loan program” to read as follows:

““Water infrastructure equipment” means infrastructure improvements, equipment, and personal property to be installed for dams, reservoirs, hydroelectric pumping, storm water reclamation, ditch maintenance, spillways, wells, water ducts, ~~and~~ water distribution systems[-], and water tanks.

“Water infrastructure loans” and “loan program” means the program established by this part and loans made to finance the purchase or installation of water infrastructure equipment for dams, reservoirs, hydroelectric pumping,

storm water reclamation, ditch maintenance, spillways, wells, water ducts, [and] water distribution systems[-], and water tanks.”

SECTION 2. Section 155-32, Hawaii Revised Statutes, is amended to read as follows:

“~~§155-32~~ **Hawaii water infrastructure loan program.** There is established a Hawaii water infrastructure loan program, which shall be a loan program as defined under section 39-51. The program shall be administered by the department in a manner consistent with chapter 39, part III. This loan program may include:

- (1) Loans made, on terms approved by the department, to ~~private~~:
 - (A) Private entities, whether corporations, partnerships, limited liability companies, or other persons, which entities may lease or provide water infrastructure equipment to utility customers; and
 - (B) Water utilities; and
- (2) Direct loans to utility customers, on terms approved by the department.”

SECTION 3. Section 155-33, Hawaii Revised Statutes, is amended to read as follows:

“~~§155-33~~ **Powers of the department.** The department shall have the following powers:

- (1) Make loans and expend funds to finance the purchase or installation of water infrastructure equipment for dams, reservoirs, hydroelectric pumping, storm water reclamation, ditch maintenance, spillways, wells, water ducts, [and] water distribution systems[;], and water tanks;
- (2) Hold and invest moneys in the water infrastructure special fund in investments as permitted by law;
- (3) Hire employees necessary to perform its duties;
- (4) Enter into contracts for the service of consultants for rendering professional and technical assistance and advice, and any other contracts that are necessary and proper for the implementation of the loan program;
- (5) Enter into contracts for the administration of the loan program, in accordance with chapter 103D;
- (6) Establish loan program guidelines to carry out the purposes of this part;
- (7) Perform all functions necessary to effectuate the purposes of this part;
- (8) Delegate authority to the chairperson of the board of agriculture to approve loans where the requested amount plus any principal balance on existing loans to the applicant does not exceed \$25,000 of state funds; and
- (9) Adopt rules pursuant to chapter 91 necessary for the purpose of this part.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved July 10, 2017.)