

STAND. COM. REP. NO. 253

Honolulu, Hawaii

Feb 9, 2007

RE: H.B. No. 1905

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Water, Land, Ocean Resources & Hawaiian
Affairs, to which was referred H.B. No. 1905 entitled:

"A BILL FOR AN ACT RELATING TO DAM SAFETY,"

begs leave to report as follows:

The purpose of this measure is to ensure the safety of dams
and reservoirs in the State by:

- (1) Requiring all dams, existing and new, to be certified to impound water, with existing dams applying for certification and new dams applying to have their plans and specifications approved prior to construction;
- (2) Allowing the Department of Land and Natural Resources to enter onto property, public or private, at reasonable times and without prior notice to inspect any dam;
- (3) Allowing the Department of Land and Natural Resources to immediately employ remedial emergency measures if it deems any dam or reservoir to be dangerous to the health and safety of persons or property;
- (4) Establishing the dam safety revolving fund to be used by the Board of Land and Natural Resources to administer the dam safety program;



- (5) Establishing the dam rehabilitation loan program, making loans available to dam owners for the repair of dams that the Board of Land and Natural Resources deems are in need of repair but are not in an emergency state; and
- (6) Making an appropriation of \$2,000,000 for purposes of the dam safety program, including the dam rehabilitation loan program.

Your Committee has received testimony from the Department of Land and Natural Resources in support of the general intent of this measure. Your Committee also received testimony from the Office of Hawaiian Affairs and the American Society of Civil Engineers in support of this measure. One individual submitted comments.

In response to a statement by the administration that there are available funds to initiate a dam safety program, your Committee has amended this measure by:

- (1) Deleting the establishment of the dam rehabilitation loan program; and
- (2) Deleting the appropriation contained in this measure.

Your Committee has further amended this measure by:

- (1) Changing the effective date of this measure to July 1, 2050, to permit further discussion; and
- (2) Making technical nonsubstantive changes for clarity and consistency.

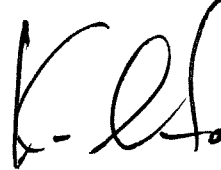
Your Committee further notes that there were other legislative provisions recommended by the special counsel to the Attorney General investigating the Ka Loko dam collapse, some of which were included in the original version of this measure but have been deleted from this amended measure. Your Committee recommends that your Committee on Judiciary consider these other recommendations, and your committee extends its prior concurrence to your Committee on Judiciary for any other amendments it may make to this measure.

As affirmed by the record of votes of the members of your Committee on Water, Land, Ocean Resources & Hawaiian Affairs that is attached to this report, your Committee is in accord with the



intent and purpose of H.B. No. 1905, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1905, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, Ocean
Resources & Hawaiian Affairs,



KEN ITO, Chair



