

STAND. COM. REP. NO.

2877

Honolulu, Hawaii

FEB 29 2008

RE: S.B. No. 2486

S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 2486, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WATER,"

begs leave to report as follows:

The purpose of this measure is to include water and irrigation systems as a use for the special land and development fund.

Your Committee heard a proposed S.D. 2 draft that establishes a Molokai irrigation system special fund for the irrigation water system on Molokai and creates a Molokai irrigation system water users board with extensive powers and duties parallel to those of the board of agriculture to oversee the fund. The proposed S.D. 2 draft also repeals the existing Molokai irrigation system water users advisory board.

Your Committee received testimony in support of the proposed S.D. 2 draft from the Office of Hawaiian Affairs and one individual. The Departments of Agriculture and Budget and Finance, Molokai Farm Bureau, Molokai Irrigation System Water Users Advisory Board, and one individual submitted testimony in opposition. The Department of Hawaiian Home Lands, Office of the Auditor, and Hoolehua Homestead Farmers offered comments. Your Committee acknowledges that additional commentary was heard by your Committee from an individual providing oral comments in support of the measure.

SB2486 SD2 SSCR LRB 08-2466-1.doc



Your Committee finds that the proposed S.D. 2 is a more appropriate vehicle to implement the recommendations of the Auditor's Report No. 08-03 of February 2008, entitled Financial and Management Audit of the Molokai Irrigation System.


Accordingly, to more closely align the measure with the Auditor's recommendations, your Committee has deleted the contents of the original proposed measure and replaced it with the modified contents of the proposed S.D. 2, which:

- (1) Amend the existing Molokai irrigation system water users advisory board to increase board membership by adding one homestead farmer and by making technical nonsubstantive amendments relating to the appointment of members;
- (2) Creates a subaccount within the irrigation system revolving fund to facilitate increased transparency to assure the appropriate operation of the revolving fund as it relates to deposits and expenditures for the Molokai irrigation system;
- (3) Requires the Molokai irrigation system water users advisory board to develop, in conjunction with the Board of Agriculture, a definition of "homestead farmer";
- (4) Requires the advisory board to report to the Legislature prior to the 2009 regular session, on the progress made toward implementing the objectives outlined in the "Roadmap to Improvement" document generated as a result of meetings between the Board of Agriculture and the Molokai community. The report shall include a timeline for implementation; and
- (5) Appropriates an unspecified amount to the Department of Agriculture to further address the repair and maintenance needs of the Molokai irrigation system.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2486, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2486, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,




ROSALYN H. BAKER, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>SB2486, SDI</i>	<i>WTL/AHW, WAM</i>	<i>2/27/08</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani				/
FUKUNAGA, Carol	/			
HOOSER, Gary L.	/			
INOUE, Lorraine R.	/			
KIM, Donna Mercado	/			
MENOR, Ron	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred	/			
WHALEN, Paul	/			
TOTAL	<i>11</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:				
Original File with Committee Report		Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy

*Only one measure per Record of Votes