



GOV. MSG. NO. 612

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

June 1, 2010

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fifth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on June 1, 2010, the following bill was signed into law:

SB633 SD1 HD2 CD1

A BILL FOR AN ACT
RELATING TO WATER.
ACT 154 (10)

Sincerely,

LINDA LINGLE

Approved by the Governor

on JUN 1 2010

THE SENATE
TWENTY-FIFTH LEGISLATURE, 2009
STATE OF HAWAII

ACT 154

S.B. NO. 633
S.D. 1
H.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO WATER.

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

1 SECTION 1. Section 167-23, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~[+]§167-23[+]~~ **Molokai irrigation system water users**

4 **advisory board; establishment; meetings.** (a) There is

5 established a Molokai irrigation system water users advisory

6 board, to be appointed by the governor under section 26-34. The

7 advisory board shall consist of [~~six~~] seven members, as follows:

8 (1) A homestead farmer user on Molokai;

9 (2) A nonhomestead farmer user on Molokai;

10 (3) The designee (by name rather than office) of the

11 Molokai County Farm Bureau;

12 (4) The designee (by name rather than office) of Hikiola

13 Cooperative, Inc.;

14 (5) The designee (by name rather than office) of the

15 Molokai-Lanai soil and water conservation district;

16 [~~and~~]



- 1 (6) ~~[The designee (by name rather than office) of the~~
2 ~~department of Hawaiian home lands.]~~ A homestead farmer
3 user whose nomination has been recommended by Moku
4 Puni O Molokai, as determined pursuant to a process
5 established by that organization, and approved for
6 submittal to the governor by majority vote of all
7 homesteaders then serving on the advisory board; and
8 (7) The supervisor of the Molokai district office of the
9 department of Hawaiian home lands who shall serve as
10 an ex officio voting member.
- 11 (b) All members of the advisory board shall be:
- 12 (1) Molokai irrigation system users;
13 (2) Residents of the island of Molokai; and
14 (3) Active general excise tax licensees.
- 15 (c) The members of the advisory board shall serve without
16 compensation, but shall be entitled to reimbursement for
17 necessary expenses, including travel expenses, while attending
18 meetings and while in the discharge of their duties. For
19 administrative purposes, and pursuant to section 26-35, the
20 advisory board shall be placed within the department of
21 agriculture.



1 ~~[(b)]~~ (d) The advisory board shall meet with the
2 department of agriculture at least six times each year. The
3 meetings shall be held on Molokai, whenever possible.

4 The advisory board's duties and responsibilities shall be
5 to advise:

6 (1) Advise the department of agriculture on matters of
7 concern to the users of the system~~[, to provide]~~;

8 (2) Provide support for improvements to the irrigation
9 facilities~~[, to participate]~~;

10 (3) Participate in the long-range planning of the
11 system~~[,]~~; and ~~[to act]~~

12 (4) Act as liaison between the users and the department~~[,]~~
13 of agriculture.

14 (e) Four members of the advisory board shall constitute a
15 quorum at any meeting. No member of the advisory board shall be
16 qualified to act in matters directly involving a company or
17 organization of which the advisory board member is an officer,
18 director, member, or full-time employee, or to which the
19 advisory board member is indebted.

20 (f) For the purpose of this section:

21 "Homestead farmer user" means an individual who qualifies
22 under the requirements set forth in the department of Hawaiian



1 home lands administrative rules, farms a homestead parcel owned
2 by the department of Hawaiian home lands, and is served by the
3 Molokai irrigation system.

4 "Kupuna homestead farmer user" means an individual who
5 resides on a homestead parcel on Molokai, with a Molokai
6 irrigation system water meter. The individual shall be a former
7 or current farmer who is working or has worked in the
8 agricultural industry on Molokai."

9 SECTION 2. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 3. This Act shall take effect on July 1, 2010.
12

APPROVED this 1 day of JUN, 2010



GOVERNOR OF THE STATE OF HAWAII