

Honolulu, Hawaii
, 2010

RE: APR 22 2010
S.B. No. 633
S.D. 1
H.D. 2
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 633, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WATER,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Increase the representation of homestead farmers on the Molokai Irrigation System Water Users Advisory Board;
- (2) Make the Department of Hawaiian Home Lands representative an ex-officio voting member; and
- (3) Set forth qualifications of Board members and quorum requirements.



Your Committee finds that under section 168-4, Hawaii Revised Statutes, the Molokai homesteaders have a two-thirds water preference for the Molokai Irrigation System. In the State Auditor's Report, No. 08-03, Financial and Management Audit of the Molokai Irrigation System, it was recognized that the preference accorded to homesteaders is not reflected in any planning and that non-homestead farmers consume approximately eighty per cent of the system's available water. Your Committee believes that additional representation of homestead farmers on the Molokai Irrigation System Water Users Advisory Board is needed to better represent the homestead farmers and to ensure that homestead farmers receive their statutorily guaranteed water preference.

Your Committee has amended this measure by:

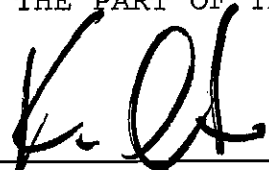
- (1) Including a definition for "kupuna homestead farmer user";
- (2) Changing the effective date to July 1, 2010; and
- (3) Making technical, nonsubstantive changes for the purpose of clarity.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 633, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 633, S.D. 1, H.D. 2, C.D. 1.


Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



KEN ITO, Co-Chair



CLAYTON HEE, Chair



CLIFT TSUJI, Co-Chair



MELE CARROLL, Co-Chair



