

STAND. COM. REP. NO.

934

Honolulu, Hawaii

MAR 24 2011

RE: H.B. No. 744
H.D. 1
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Water, Land, and Housing, to which was referred H.B. No. 744, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to create the Dam Safety Task Force to review applicable state laws, administrative rules, and county ordinances; recommend actions to be taken by the Engineering Division of the Department of Land and Natural Resources in its administration of the Hawaii Dam Safety Program; and report its finding and recommendations to the Legislature.

Your Committee received testimony in support of this measure from the Land Use Research Foundation of Hawaii; Hawaii Cattlemen's Council, Inc.; Hawaii Farm Bureau Federation; David Tarnas; Tim Richards; and Stephen Bowles. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from Alexander and Baldwin, Inc.

Your Committee finds that new rules imposing fees on dam owners, although implemented to improve the safety of the dams, may prove overly burdensome to dam owners. In light of the tragedy at Kaloko, however, public safety cannot be taken lightly. This situation warrants bringing together state actors and private sector dam owners to formulate a solution to these issues. This measure provides an incentive to keep dams in operation and good

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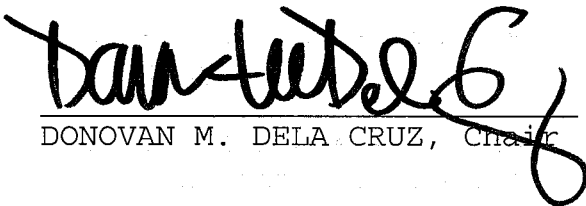
repair by making eligible for certain state and county incentives dams on designated Important Agricultural Lands that are used primarily for designated agricultural uses.

Your Committee has amended this measure by:

- (1) Providing that certain dams and related reservoirs shall qualify for certain state and county incentives under section 205-46, Hawaii Revised Statutes; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 744, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 744, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.

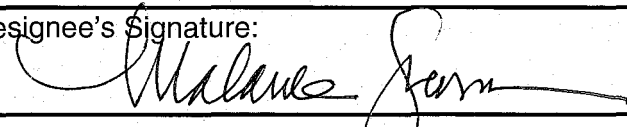
Respectfully submitted on
behalf of the members of the
Committee on Water, Land, and
Housing,


DONOVAN M. DELA CRUZ, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Water, Land, and Housing
WLH

Bill / Resolution No.:*	Committee Referral:	Date:	
HB744 HD1	WLH, WAM	3/22/11	
<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		
DELA CRUZ, Donovan M. (C)	✓		
SOLOMON, Malama (VC)	✓		
FUKUNAGA, Carol	✓		
RYAN, Pohai	✓		
SHIMABUKURO, Maile	✓		
TOKUDA, Jill N.		✓	
SLOM, Sam			✓
TOTAL	5		1
Recommendation:			
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted	
Chair's or Designee's Signature:			
			
Distribution:			
Original	Yellow	Pink	Goldenrod
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy

*Only one measure per Record of Votes