



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 10, 2017

GOV. MSG. NO. 1235

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Ninth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 10, 2017, the following bill was signed into law:

HB633 HD1 SD1 CD1

RELATING TO ASSISTING DAM AND
RESERVOIR OWNERS
ACT 134 (17)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO ASSISTING DAM AND RESERVOIR OWNERS.

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

1 SECTION 1. Section 39A-341, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending the definition of "appurtenant works" to
4 read:

5 "Appurtenant works" [~~shall have the same meaning in this~~
6 ~~part as it has in section 179D-3.~~] means any structure, such as
7 spillways in the dam or separate therefrom, the reservoir and
8 its rim, low level outlet works, aboveground freshwater storage
9 tanks, and water conduits, such as tunnels, pipelines, or
10 penstocks, through the dam or its abutment."

11 2. By amending the definition of "dam" to read:

12 "Dam" [~~shall have the same meaning in this part as it has~~
13 ~~in section 179D-3.~~] means any artificial barrier, including
14 appurtenant works, that impounds or diverts water and that:

15 (1) Is twenty-five feet or more in height from the natural
16 bed of the stream or watercourse measured at the
17 downstream toe of the barrier, or from the lowest
18 elevation of the outside limit of the barrier if it is



1 not across a stream channel or watercourse to a
 2 maximum water storage elevation;
 3 (2) Has an impounding capacity at maximum water storage
 4 elevation of fifty acre-feet or more; provided that
 5 this definition shall not apply to any artificial
 6 barrier that is less than six feet in height
 7 regardless of storage capacity or that has a storage
 8 capacity at maximum water storage elevation less than
 9 fifteen acre-feet regardless of height; or

10 (3) Meets additional criteria or is specifically exempt as
 11 determined pursuant to rules adopted by the board of
 12 land and natural resources."

13 3. By amending the definition of "reservoir" to read:
 14 "Reservoir" [~~shall have the same meaning in this part as~~
 15 ~~it has in section 179D-3.~~] means any basin that contains or will
 16 contain water impounded by a dam, including appurtenant works."

17 SECTION 2. Statutory material to be repealed is bracketed
 18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect upon its approval.



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

APPROVED this 10 day of JUL , 2017

A handwritten signature in black ink, appearing to read "David Ige". The signature is fluid and cursive, with a large loop at the end of the last name.

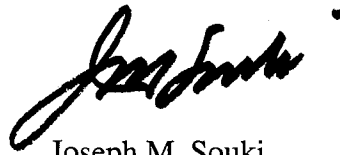
GOVERNOR OF THE STATE OF HAWAII

HB No. 633, HD 1, SD 1, CD 1

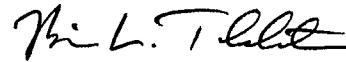
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2017
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017.



Joseph M. Souki
Speaker
House of Representatives




Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAII

Date: May 2, 2017
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2017.


President of the Senate


Clerk of the Senate