

STAND. COM. REP. NO.

564

Honolulu, Hawaii

February 17, 2017

RE: H.B. No. 1536
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1536 entitled:

"A BILL FOR AN ACT RELATING TO IRRIGATION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Clarify that the Board of Agriculture has the power to acquire property by eminent domain for the construction and maintenance of water facilities that convey, distribute, and transmit water for agricultural uses, but not for domestic use; and
- (2) Amends the definition of "public utility" to:
 - (A) Narrow its applicability to entities that produce, convey, transmit, deliver, or furnish water for human consumption; and
 - (B) Exclude entities that convey, transmit, and distribute nonpotable water.

The Department of Agriculture, PonoHolo Ranch Limited, East Kauai Water Users' Cooperative, MauiGrown Coffee, Inc., Saiva Siddhanta Church, Hawaii Farm Bureau, Kalepa Coalition, and several individuals testified in support of this measure. Two concerned individuals opposed this measure. The Department of

HB1536 HD1 HSCR WAL HMS 2017-2000



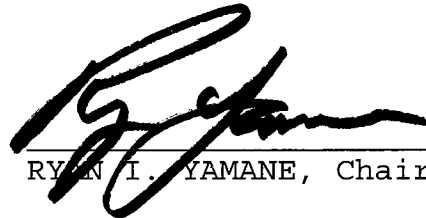
Commerce and Consumer Affairs, Public Utilities Commission, Honolulu Board of Water Supply, and Land Use Research Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Deleting language that would have limited the scope of "public utility" to water for human consumption; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1536, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1536, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,



RYAN I. YAMANE, Chair



