

STAND. COM. REP. NO. 954

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 1064
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 1064, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to facilitate the improvement or removal of deficient dams and appurtenances.

Specifically, the measure:

- (1) Establishes the dam and appurtenance improvement or removal grant program to provide funding to private dam owners for plans, design, construction, and equipment used to improve or remove deficient dams and appurtenances;
- (2) Establishes the dam and appurtenance improvement or removal revolving fund to support the awarding of grants under the foregoing program; and
- (3) Appropriates moneys for certain operating expenses and the establishment of two full-time equivalent (2.0 FTE) positions in the Department of Land and Natural Resources.



Your Committee received written comments in support of this measure from the Department of Land and Natural Resources and Hawaii Farm Bureau.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that many privately owned dams and appurtenances are not properly maintained and may be hazardous to public safety. Your Committee also finds that as the costs of improvement or removal are often prohibitive, a grant program to provide funding for these costs, as proposed by this measure, may be appropriate.

Your Committee recognizes that the Department of Land and Natural Resources has requested a one-time seed funding of \$15,000,000 in general funds into the dam and appurtenance improvement or removal revolving fund for use as the initial funding source.

Your Committee finds that the new dam and appurtenance improvement or removal revolving fund may not comply with section 37-52.4, Hawaii Revised Statutes, particularly with respect to the requirement that a revolving fund demonstrate the capacity to be self-sustaining. Your Committee notes that legislative appropriations are the sole source of funding for the revolving fund and, consequently, for the grant program. Accordingly, it appears more appropriate to fund the grant program directly through legislative appropriations rather than through a new revolving fund.

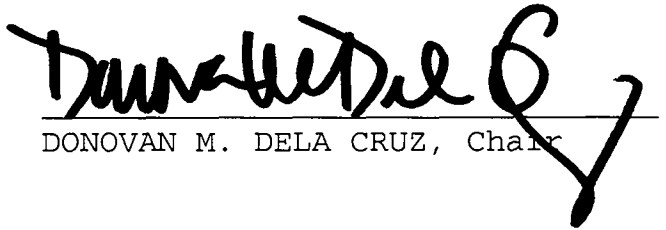
Your Committee has amended this measure by:

- (1) Deleting the establishment of the dam and appurtenance improvement or removal revolving fund;
- (2) Specifying that the two full-time equivalent (2.0 FTE) positions established by the measure are permanent positions; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1064, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1064, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



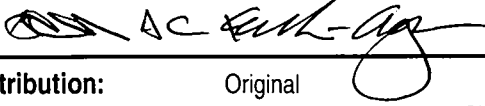
Donovan M. DeLa Cruz

DONOVAN M. DELA CRUZ, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 1064, SD1	Committee Referral: WTL, WAM	Date: 8/28/03		
<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)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	13			
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