Honolulu, Hawaii

Fe415, 2008

RE: H.B. No. 2965 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

## Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2965, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SECURITY," begs leave to report as follows:

The purpose of this bill is to protect agricultural water supplies by:

- (1) Allowing under certain conditions the diversion of electrical power to public and private agricultural water systems for irrigation of agricultural lands;
- (2) Requiring electric power to be diverted to agricultural pumping facilities to maintain agricultural water security in the event of an emergency declared by the Governor; and
- (3) Establishing the Agricultural Water Security Revolving Fund to fund projects that enhance and ensure the security of agricultural water supplies and irrigation systems.

Kamehameha Schools, Dole Food Company Hawaii, and several concerned individuals testified in support of this bill. The Department of Land and Natural Resources supported the intent of this measure. The Department of Budget and Finance, Public Utilities Commission, Hawaiian Electric Company, Inc., Maui

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Electric Company, Ltd., and Hawaii Electric Light Company, Inc., submitted comments.

Your Committee has amended this bill by

- (1) Replacing its entire contents with provisions that authorize a person who controls, operates, or manages an agricultural water system to negotiate an agreement for the production of emergency power for the system following a disaster declared by the Governor; and
- (2) Making this bill effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2965, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2965, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

ROBERT N. HERKES, Chair

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## State of Hawaii House of Representatives The Twenty-fourth Legislature

HSCR 552-08

## **Record of Votes of the Committee on Consumer Protection & Commerce**

Bill/Resolution No.: Committee Referral: Date:				
HB 2965, HD1 (HSCR197-08) AGR/WLH, CPC, FIN 0213108				
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	γ			
2. McKELVEY, Angus L.K. (VC)	X			
3. EVANS, Cindy	γ			
4. GREEN, Josh, M.D.	K			
5. ITO, Ken	<u> </u>			
6. LUKE, Sylvia	×			
7. MORITA, Hermina M.	۴			
8. SONSON, Alex M.				X
9. SOUKI, Joseph M.	٧			
10. TSUJI, Clift	λ			
11. YAMANE, Ryan I.	7			
12. YAMASHITA, Kyle T.	<b>&gt;</b>			
13. MARUMOTO, Barbara C.	Ý			
14. THIELEN, Cynthia	7			
	101-1			
TOTAL (14)	13	0	$\mathcal{D}$	l
The recommendation is:  Adopted  If joint referra,  Committee acronym(s)  Not Adopted  did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				