
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 as follows:

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 as
12 follows:

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

16 (1) Is twenty-five feet or more in height from the natural
17 bed of the stream or watercourse measured at the



1 downstream toe of the barrier, or from the lowest
2 elevation of the outside limit of the barrier if it is
3 not across a stream channel or watercourse to a
4 maximum water storage elevation;

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

12 (3) Meets additional criteria or is specifically exempt as
13 determined pursuant to rules adopted by the board."

14 3. By amending the definition of "reservoir" to read as
15 follows:

16 "Reservoir" [~~shall have the same meaning in this part as~~
17 ~~it has in section 179D-3.~~] means any basin that contains or will
18 contain water impounded by a dam, including appurtenant works."

19 SECTION 2. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



H.B. NO. 633

1 SECTION 3. This Act shall take effect on July 1, 2017.

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INTRODUCED BY:

<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>Cindy Evans</u>
<u>[Signature]</u>	<u>[Signature]</u>

JAN 20 2017



H.B. NO. 633

Report Title:

Special Purpose Revenue Bonds; Dam and Reservoir Owners;
Appurtenant Works

Description:

Clarifies that aboveground freshwater storage tanks are included in the definition of "appurtenant works" in Part XII of Chapter 39A, Hawaii Revised Statutes.

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