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# A BILL FOR AN ACT

RELATING TO WATER RIGHTS.

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

1           SECTION 1. Section 171-58, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:  
3           "(c) Disposition of water rights may be made by lease at  
4 public auction or by negotiation as provided in this chapter or  
5 by permit for temporary use on a month-to-month basis under  
6 those conditions [~~which~~] that will best serve the interests of  
7 the State and subject to a maximum term of one year and other  
8 restrictions under the law; provided that any disposition by  
9 lease shall be subject to disapproval by the legislature by two-  
10 thirds vote of either the senate or the house of representatives  
11 or by majority vote of both in any regular or special session  
12 next following the date of disposition; provided further that  
13 after a certain land or water use has been authorized by the  
14 board subsequent to public hearings and conservation district  
15 use application and environmental impact statement approvals,  
16 water used in nonpolluting ways, for nonconsumptive purposes  
17 because it is returned to the same stream or other body of water  
18 from which it was drawn, essentially not affecting the volume

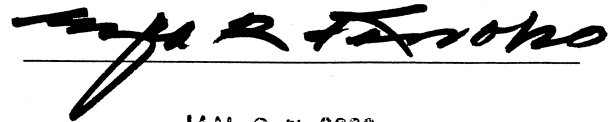


1 and quality of water or biota in the stream or other body of  
2 water, may also be leased by the board with the prior approval  
3 of the governor and the prior authorization of the legislature  
4 by concurrent resolution."

5 SECTION 2. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7 SECTION 3. This Act shall take effect upon its approval.  
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INTRODUCED BY:



JAN 25 2006



HB 2800

**Report Title:**

Water Rights

**Description:**

Permits lease of water rights by negotiation.

