
A BILL FOR AN ACT

RELATING TO WATER.

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

1 PART I

2 SECTION 1. The legislature finds that the water resources
3 of the state are held for the benefit of the citizens of the
4 state. The people of the state are beneficiaries of this public
5 trust resource and have a right to have the water protected for
6 their use and for the use of subsequent generations. Article
7 XI, section 7, of the Hawaii Constitution, declares that "[t]he
8 State has an obligation to protect, control and regulate the use
9 of Hawaii's water resources for the benefit of its people."
10 Several state and county agencies are responsible for carrying
11 out these duties. The commission on water resource management
12 has exclusive jurisdiction in all matters relating to the
13 implementation and administration of the state water code. The
14 boards of water supply of each county manages the respective
15 county's municipal water resources and distribution systems,
16 providing Hawaii residents with a reliable water system and safe
17 drinking water supply.



1 When the State Water Code was enacted in 1987, the concept
2 and potential of bottled water as a formidable export commodity
3 was not anticipated. In 1990, approximately 2,000,000,000
4 gallons of bottled water were sold worldwide. Since then, the
5 water industry has developed immensely. By 2003, more than
6 30,000,000,000 gallons of bottled water were sold globally with
7 sales topping more than \$35,000,000,000. All indicators show
8 continued growth in this industry worldwide.

9 Although over 40 per cent of bottled water sold in the
10 United States is municipal tap water run through filters and
11 treated with minerals or other additives, the remainder of the
12 bottled water is pumped directly from groundwater sources.

13 The legislature finds that because water is a public trust
14 resource, when affordable drinking water is repackaged and used
15 by private business for a profit, the State of Hawaii is
16 entitled to compensation.

17 The purpose of this part is to:

18 (1) Establish a royalty on Hawaii water when bottled for
19 profit; and

20 (2) Enable the proceeds to be used for the preservation
21 and protection of each island's finite water supply.



1 SECTION 2. Chapter 174C, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§174C- Bottled water; royalties. (a) The board of
5 water supply of each county shall impose and collect a fee
6 of _____ per gallon for water sold to a water bottling enterprise
7 as a royalty for use of the state's water resources.

8 (b) Fifty per cent of the fee collected under subsection

9 (a) shall be used to:

10 (1) Fund the administrative expenses of the board; and

11 (2) Develop a water use and development plan for the
12 county required under section 174C-31(a)(2).

13 (c) Fifty per cent of the fee collected under subsection

14 (a) shall be deposited into the water resource management fund
15 established by section 174C-5.5.

16 (d) The commission on water resource management shall

17 assess and collect a fee of _____ per gallon for water

18 originating from water resources not under the direct control of

19 any of the county boards of water supply used by a water

20 bottling enterprise and shall be deposited into the water

21 resource management fund established by section 174C-5.5.



Report Title:

Bottled Water; Royalty; Moratorium

Description:

Imposes a royalty on bottled water to protect the state's water supply. Also imposes a moratorium on bottled water originating from groundwater sources in the state that are not under the control of any county boards of water supply. (HB3445 HD1)

