
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 as provided in this chapter or by permit for
5 temporary use on a month-to-month basis under those conditions
6 which will best serve the interests of the State and subject to
7 a maximum term of one year and other restrictions under the law;
8 provided that where an application has been made for a lease
9 under this section to continue a previously authorized
10 disposition of water rights, a holdover may be authorized for a
11 holdover period until such time as the pending application for
12 the disposition of such water rights is finally resolved, even
13 if such holdover period may exceed one year; provided further
14 that any disposition by lease shall be subject to disapproval by
15 the legislature by two-thirds vote of either the senate or the
16 house of representatives or by majority vote of both in any
17 regular or special session next following the date of



1 disposition; provided further that after a certain land or water
2 use has been authorized by the board subsequent to public
3 hearings and conservation district use application and
4 environmental impact statement approvals, water used in
5 nonpolluting ways, for nonconsumptive purposes because it is
6 returned to the same stream or other body of water from which it
7 was drawn, essentially not affecting the volume and quality of
8 water or biota in the stream or other body of water, may also be
9 leased by the board with the prior approval of the governor and
10 the prior authorization of the legislature by concurrent
11 resolution."

12 SECTION 2. New statutory material is underscored.

13 SECTION 3. This Act shall take effect upon its approval,
14 and shall apply to applications for the disposition of water
15 rights that are pending before the board of land and natural
16 resources as of the effective date of this Act or filed with the
17 board of land and natural resources on or after the effective
18 date of this Act; provided that this Act shall be repealed five
19 years after its effective date.



Report Title:

Water Rights; Holdover

Description:

Allows for a holdover disposition of water rights previously authorized pursuant to a lease during the pendency of an application for a lease renewal. (HB2501 HD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

