
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 direct negotiation as provided in this chapter
5 or by permit for temporary use [~~on a month to month basis under~~
6 ~~those conditions which will best serve the interests of the~~
7 ~~State and subject to a maximum term of one year and other~~
8 ~~restrictions under the law;~~] as provided under section 171-55;
9 provided that any disposition by lease shall be subject to
10 disapproval by the legislature by two-thirds vote of either the
11 senate or the house of representatives or by majority vote of
12 both in any regular or special session next following the date
13 of disposition; provided further that after a certain land or
14 water use has been authorized by the board subsequent to public
15 hearings and conservation district use application and
16 environmental impact statement approvals, water used in
17 nonpolluting ways, for nonconsumptive purposes because it is



1 returned to the same stream or other body of water from which it
2 was drawn, essentially not affecting the volume and quality of
3 water or biota in the stream or other body of water, may also be
4 leased by the board with the prior approval of the governor and
5 the prior authorization of the legislature by concurrent
6 resolution."

7 SECTION 2. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun before its effective date.

10 SECTION 3. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Water Rights; Leases; Direct Negotiation

Description:

Adds direct negotiation as a means of disposition of water rights made by lease. Effective 7/1/2050. (HD1)

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