
A BILL FOR AN ACT

RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT.

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

1 SECTION 1. The legislature finds that effective and
2 efficient water resource management requires continuous and
3 experienced leadership, especially given the climate crisis and
4 urgent need to properly steward water resources to meet the
5 affordable housing needs of local residents. On December 28,
6 1994, the review commission on the state water code submitted
7 its final report to the legislature pursuant to Act 45, Session
8 Laws of Hawaii 1987. The review commission determined that
9 amendments to the state water code were necessary to enable the
10 commission on water resource management to more effectively
11 carry out its mandate pursuant to article XI, section 7, of the
12 Hawaii State Constitution to "set overall water conservation,
13 quality and use policies; define beneficial and reasonable uses;
14 protect ground and surface water resources, watersheds and
15 natural stream environments; establish criteria for water use
16 priorities while assuring appurtenant rights and existing
17 correlative and riparian uses and establish procedures for



1 regulating all uses of Hawaii's water resources." Therefore,
2 further clarification of the commission on water resource
3 management's purpose, including its leadership structure and the
4 composition of the commission, will provide greater
5 accountability and protection of the State's waters.

6 The purpose of this Act is to:

- 7 (1) Define the public trust purposes of the commission on
8 water resource management and require the commission,
9 in acting upon water use permit applications, to
10 prioritize applications for public trust purposes;
- 11 (2) Allow the commission to retain independent legal
12 counsel;
- 13 (3) Repeal the position of deputy to the chairperson of
14 the commission and establish the position of executive
15 director of the commission;
- 16 (4) Amend the composition of the commission and
17 administratively attach it to the department of land
18 and natural resources;
- 19 (5) Authorize entities to challenge an emergency order of
20 the commission under certain conditions;
- 21 (6) Establish fines for certain water use offenses; and



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(7) Amend the commission's authority to declare water emergencies and issue orders to address them and declare water shortages and related notice requirements.

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

"§174C- Public trust purpose. The commission shall act upon water use permit applications, filed in accordance with sections 174C-51, 174C-52, and 174C-53, for both existing and new public trust purposes before acting upon water use permit applications for other existing or new uses, or both, filed in accordance with sections 174C-51, 174C-52, and 174C-53. Proceedings for applications for public trust purposes shall be held first and separate from proceedings for all other applications filed in accordance with sections 174C-51, 174C-52, and 174C-53."

SECTION 3. Section 28-8.3, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:



1 "(a) No department of the State other than the attorney
2 general may employ or retain any attorney, by contract or
3 otherwise, for the purpose of representing the State or the
4 department in any litigation, rendering legal counsel to the
5 department, or drafting legal documents for the department;
6 provided that the foregoing provision shall not apply to the
7 employment or retention of attorneys:

8 (1) By the public utilities commission, the labor and
9 industrial relations appeals board, and the Hawaii
10 labor relations board;

11 (2) By any court or judicial or legislative office of the
12 State; provided that if the attorney general is
13 requested to provide representation to a court or
14 judicial office by the chief justice or the chief
15 justice's designee, or to a legislative office by the
16 speaker of the house of representatives and the
17 president of the senate jointly, and the attorney
18 general declines to provide [~~such~~] representation on
19 the grounds of conflict of interest, the attorney
20 general shall retain an attorney for the court,



- 1 judicial, or legislative office, subject to approval
- 2 by the court, judicial, or legislative office;
- 3 (3) By the legislative reference bureau;
- 4 (4) By any compilation commission that may be constituted
- 5 from time to time;
- 6 (5) By the real estate commission for any action involving
- 7 the real estate recovery fund;
- 8 (6) By the contractors license board for any action
- 9 involving the contractors recovery fund;
- 10 (7) By the office of Hawaiian affairs;
- 11 (8) By the department of commerce and consumer affairs for
- 12 the enforcement of violations of chapters 480 and
- 13 485A;
- 14 (9) As grand jury counsel;
- 15 (10) By the Hawaii health systems corporation, or its
- 16 regional system boards, or any of their facilities;
- 17 (11) By the auditor;
- 18 (12) By the office of ombudsman;
- 19 (13) By the insurance division;
- 20 (14) By the University of Hawaii;
- 21 (15) By the Kahoolawe island reserve commission;



- 1 (16) By the division of consumer advocacy;
- 2 (17) By the office of elections;
- 3 (18) By the campaign spending commission;
- 4 (19) By the Hawaii tourism authority, as provided in
- 5 section 201B-2.5;
- 6 (20) By the division of financial institutions;
- 7 (21) By the office of information practices;
- 8 (22) By the school facilities authority;
- 9 (23) By the Mauna Kea stewardship and oversight authority;
- 10 ~~[or]~~
- 11 (24) By the commission on water resource management; or
- 12 ~~[-(24)-]~~ (25) By a department, if the attorney general, for
- 13 reasons deemed by the attorney general to be good and
- 14 sufficient, declines to employ or retain an attorney
- 15 for a department; provided that the governor waives
- 16 the provision of this section."
- 17 2. By amending subsection (c) to read:
- 18 "(c) Every attorney employed by any department on a full-
- 19 time basis, except an attorney employed by the public utilities
- 20 commission, the labor and industrial relations appeals board,
- 21 the Hawaii labor relations board, the office of Hawaiian



1 affairs, the Hawaii health systems corporation or its regional
2 system boards, the department of commerce and consumer affairs
3 in prosecution of consumer complaints, insurance division, the
4 division of consumer advocacy, the University of Hawaii, the
5 Hawaii tourism authority as provided in section 201B-2.5, the
6 Mauna Kea stewardship and oversight authority, the commission on
7 water resource management, the office of information practices,
8 or as grand jury counsel, shall be a deputy attorney general."

9 SECTION 4. Section 84-18, Hawaii Revised Statutes, is
10 amended by amending subsection (e) to read as follows:

11 "(e) Subject to the restrictions imposed in subsections
12 (a) through (d), the following individuals shall not represent
13 any person or business for a fee or other consideration
14 regarding any legislative action or administrative action, as
15 defined in section 97-1, for twelve months after termination
16 from their respective positions:

- 17 (1) The governor;
- 18 (2) The lieutenant governor;
- 19 (3) The administrative director of the State;
- 20 (4) The attorney general;
- 21 (5) The comptroller;



- 1 (6) The chairperson of the board of agriculture;
- 2 (7) The director of corrections and rehabilitation;
- 3 (8) The director of finance;
- 4 (9) The director of business, economic development, and
- 5 tourism;
- 6 (10) The director of commerce and consumer affairs;
- 7 (11) The adjutant general;
- 8 (12) The superintendent of education;
- 9 (13) The chairperson of the Hawaiian homes commission;
- 10 (14) The director of health;
- 11 (15) The director of human resources development;
- 12 (16) The director of human services;
- 13 (17) The director of labor and industrial relations;
- 14 (18) The chairperson of the board of land and natural
- 15 resources;
- 16 (19) The director of law enforcement;
- 17 (20) The director of taxation;
- 18 (21) The director of transportation;
- 19 (22) The president of the University of Hawaii;
- 20 (23) The executive administrator of the board of regents of
- 21 the University of Hawaii;



- 1 (24) The administrator of the office of Hawaiian affairs;
- 2 (25) The chief information officer;
- 3 (26) The executive director of the agribusiness development
- 4 corporation;
- 5 (27) The executive director of the campaign spending
- 6 commission;
- 7 (28) The executive director of the Hawaii community
- 8 development authority;
- 9 (29) The executive director of the Hawaii housing finance
- 10 and development corporation;
- 11 (30) The president and chief executive officer of the
- 12 Hawaii tourism authority;
- 13 (31) The executive officer of the public utilities
- 14 commission;
- 15 (32) The state auditor;
- 16 (33) The director of the legislative reference bureau;
- 17 (34) The ombudsman;
- 18 (35) The permanent employees of the legislature, other than
- 19 persons employed in clerical, secretarial, or similar
- 20 positions;
- 21 (36) The administrative director of the courts;



- 1 (37) The executive director of the state ethics commission;
- 2 (38) The executive officer of the state land use
3 commission;
- 4 (39) The executive director of the natural energy
5 laboratory of Hawaii authority;
- 6 (40) The executive director of the Hawaii public housing
7 authority; and
- 8 (41) The [~~first deputy to the chairperson~~] executive
9 director of the commission on water resource
10 management;

11 provided that this subsection shall not apply to any person who
12 has held one of the positions listed above only on an interim or
13 acting basis and for a period of less than one hundred eighty-
14 one days."

15 SECTION 5. Section 174C-3, Hawaii Revised Statutes, is
16 amended by adding a new definition to be appropriately inserted
17 and to read as follows:

18 "Public trust purpose" means in accordance with the
19 principles outlined in articles XI and XII of the Hawaii State
20 Constitution, the maintenance of waters in their natural state;
21 the exercise of Native Hawaiian traditional and customary



1 practices, including appurtenant rights; domestic water uses as
2 defined in this section; and the reservations and homestead use
3 of water for the department of Hawaiian home lands."

4 SECTION 6. Section 174C-5, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§174C-5 General powers and duties.** The general
7 administration of the state water code shall rest with the
8 commission on water resource management. In addition to its
9 other powers and duties, the commission:

10 (1) Shall carry out topographic surveys, research, and
11 investigations into all aspects of water use and water
12 quality;

13 (2) Shall designate water management areas for regulation
14 under this chapter where the commission, after the
15 research and investigations mentioned in paragraph
16 (1), shall consult with the appropriate county council
17 and county water agency, and after public hearing and
18 published notice, finds that the water resources of
19 the areas are being threatened by existing or proposed
20 withdrawals of water;



- 1 (3) Shall establish an instream use protection program
2 designed to protect, enhance, and reestablish, where
3 practicable, beneficial instream uses of water in the
4 State;
- 5 (4) May contract and cooperate with the various agencies
6 of the federal government and with state and local
7 administrative and governmental agencies or private
8 persons;
- 9 (5) May enter, after obtaining the consent of the property
10 owner, at all reasonable times upon any property other
11 than dwelling places for the purposes of conducting
12 investigations and studies or enforcing any of the
13 provisions of this code, being liable, however, for
14 actual damage done. If consent cannot be obtained,
15 reasonable notice shall be given prior to entry;
- 16 (6) Shall cooperate with federal agencies, other state
17 agencies, county or other local governmental
18 organizations, and all other public and private
19 agencies created for the purpose of utilizing and
20 conserving the waters of the State, and assist these
21 organizations and agencies in coordinating the use of



1 their facilities and participate in the exchange of
2 ideas, knowledge, and data with these organizations
3 and agencies. For this purpose, the commission shall
4 maintain an advisory staff of experts;

5 (7) Shall prepare, publish, and issue printed pamphlets
6 and bulletins as the commission deems necessary for
7 the dissemination of information to the public
8 concerning its activities;

9 (8) May appoint and remove agents, including hearings
10 officers and consultants, necessary to carry out the
11 purposes of this chapter, who may be engaged by the
12 commission without regard to the requirements of
13 chapter 76 and section 78-1;

14 (9) May hire employees in accordance with chapter 76;

15 (10) May, as necessary, appoint and dismiss attorneys, who
16 shall be exempt from chapter 76;

17 ~~[(10)]~~ (11) May acquire, lease, and dispose of real and
18 personal property as may be necessary in the
19 performance of its functions, including the
20 acquisition of real property for the purpose of



1 conserving and protecting water and water related
2 resources as provided in section 174C-14;
3 ~~[(11)]~~ (12) Shall identify, by continuing study, those areas
4 of the State where salt water intrusion is a threat to
5 fresh water resources and report its findings to the
6 appropriate county mayor and council and the public;
7 ~~[(12)]~~ (13) Shall provide coordination, cooperation, or
8 approval necessary to the effectuation of any plan or
9 project of the federal government in connection with
10 or concerning the waters of the State. The commission
11 shall approve or disapprove any federal plans or
12 projects on behalf of the State. No other agency or
13 department of the State shall assume the duties
14 delegated to the commission under this paragraph;
15 except that the department of health shall continue to
16 exercise the powers vested in it with respect to water
17 quality, and except that the department of business,
18 economic development, and tourism shall continue to
19 carry out its duties and responsibilities under
20 chapter 205A;



1 ~~[(13)]~~ (14) Shall plan and coordinate programs for the
 2 development, conservation, protection, control, and
 3 regulation of water resources, based upon the best
 4 available information, and in cooperation with federal
 5 agencies, other state agencies, county or other local
 6 governmental organizations, and other public and
 7 private agencies created for the utilization and
 8 conservation of water;

9 ~~[(14)]~~ (15) Shall catalog and maintain an inventory of all
 10 water uses and water resources; ~~[and]~~

11 ~~[(15)]~~ (16) Shall determine appurtenant water rights,
 12 including but not limited to the quantification of the
 13 amount of water and the specification of the water
 14 course or the means of access and delivery entitled to
 15 by that right, which determination shall be valid for
 16 purposes of this chapter~~[-]~~; and

17 (17) May declare an emergency if the commission determines,
 18 in consultation with the governor, the appropriate
 19 county, and the department of health, that there is an
 20 absence of sufficient quantity and quality of water in
 21 any area, whether within or outside of a water



1 management area, that immediately threatens the public
 2 health, safety, and welfare. The commission may issue
 3 orders reciting the existence of the emergency and
 4 requiring those actions as the commission deems
 5 necessary to address the emergency be taken, including
 6 but not limited to apportioning, rotating, limiting,
 7 or prohibiting the use of water resources of the area;
 8 provided that an emergency order shall expire no later
 9 than one year after issuance by the commission;
 10 provided further that the order may be extended by a
 11 separate or supplementary order."

12 SECTION 7. Section 174C-6, Hawaii Revised Statutes, is
 13 amended to read as follows:

14 "**§174C-6** ~~[Deputy to the chairperson]~~ **Executive director of**
 15 **the commission on water resource management.** (a) There shall
 16 be ~~[a first deputy to the chairperson]~~ an executive director of
 17 the commission on water resource management ~~[("deputy for water~~
 18 ~~resource management") who shall be in addition to any other~~
 19 ~~first deputy to the chairperson as the chairperson of the board~~
 20 ~~of land and natural resources. The deputy],~~ who shall have
 21 experience in the area of water resources and shall be appointed



1 by ~~[the chairperson with the approval of a majority of]~~ the
2 commission[-] and serve at the pleasure of the commission.

3 (b) The duties of the ~~[deputy for]~~ executive director of
4 the commission on water resource management shall be to
5 administer and implement, under the direction of the commission,
6 the state water code ~~[and all]~~, the rules, and other directives
7 ~~[promulgated in accordance therewith]~~ adopted by the commission.
8 Nothing in this ~~[provision]~~ section shall be construed as
9 limiting the authority of the commission as to matters regarding
10 water resources.

11 (c) The position of ~~[deputy for]~~ executive director of the
12 commission on water resource management ~~[is not]~~ shall not be
13 subject to chapter 76.

14 (d) The salary of the ~~[deputy for]~~ executive director of
15 the commission on water resource management shall be ~~[as~~
16 ~~provided in section 26-53 for first deputies or first assistants~~
17 ~~to the head of any department.]~~ set by the commission, and the
18 executive director shall be included in any benefit program
19 generally applicable to the officers and employees of the State.

20 (e) The commission shall develop and document annual goals
21 and performance measures for the executive director that



1 authorize the commission to annually evaluate the executive
2 director's work to ensure compliance by the commission with
3 statutory and constitutional requirements and achievement of its
4 statutory and constitutional purposes.

5 (f) The commission shall evaluate and document the
6 evaluation of the executive director's performance annually, or
7 more frequently upon the request of at least four members of the
8 commission, based on annual goals, performance measures, and
9 other relevant criteria."

10 SECTION 8. Section 174C-7, Hawaii Revised Statutes, is
11 amended to read as follows:

12 **"§174C-7 Commission on water resource management. (a)**
13 There is established within the department a commission on water
14 resource management consisting of seven members which shall have
15 exclusive jurisdiction and final authority in all matters
16 relating to implementation and administration of the state water
17 code, except as otherwise specifically provided in this chapter.
18 The commission shall be attached to the department of land and
19 natural resources for administrative purposes only.

20 (b) Five members shall be appointed by the governor
21 subject to confirmation by the senate in the manner prescribed



1 in subsection [~~(d)~~] (e). Each member shall have substantial
2 experience in the area of water resource management; provided
3 that at least one member shall have substantial experience or
4 expertise in traditional Hawaiian water resource management
5 techniques and in traditional Hawaiian riparian usage such as
6 those preserved by section 174C-101. Each of the members shall
7 be eligible to serve as the chairperson of the commission upon
8 election by a majority of the commission members.

9 (c) The chairperson of the board of land and natural
10 resources [~~shall be the chairperson of the commission. The~~] and
11 the director of health or the director's designee shall serve as
12 [~~an~~] ex officio[~~+~~], [~~+~~] voting [~~member.~~] members but shall be
13 ineligible to serve as chairperson of the commission.

14 [~~(e)~~] (d) The members of the commission shall serve
15 without compensation but shall be reimbursed for expenses,
16 including travel expenses, necessary for the performance of
17 their duties.

18 [~~(d)~~] (e) In appointing a member to the commission, the
19 governor shall select from a list submitted by a nominating
20 committee. The nominating committee shall be composed of four
21 individuals chosen as follows: two persons appointed by the



1 governor; one person appointed by the president of the senate;
2 and one person appointed by the speaker of the house. The
3 committee shall solicit applications and send to the governor
4 the names of at least three individuals for each open position.

5 ~~[(e)]~~ (f) Except as otherwise provided in this chapter,
6 the commission shall be subject to sections 26-34, 26-35, and
7 26-36."

8 SECTION 9. Section 174C-9, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "~~[f]~~**\$174C-9**~~[f]~~ **Proceedings before the commission**

11 **concerning water resources.** (a) All proceedings before the
12 commission concerning the enforcement or application of any
13 provision of this chapter or any rule adopted pursuant thereto,
14 or the issuance, modification, or revocation of any permit or
15 license under this code by the commission, shall be conducted in
16 accordance with chapter 91. Hearings regarding particular water
17 resources shall be conducted on the island where those water
18 resources are located.

19 (b) Any party to whom an emergency order is directed may
20 challenge that order but shall immediately comply with the order
21 pending disposition of the party's challenge. The commission



1 shall give precedence to a hearing on the challenge over all
2 other pending matters."

3 SECTION 10. Section 174C-15, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§174C-15 Penalties and common law remedies.** (a) The
6 commission may enforce its rules and orders adopted pursuant to
7 this chapter by suit for injunction or for damages or both.

8 (b) Any person who [~~violates any~~]:

9 (1) Violates any provision of this chapter[~~, or any~~];

10 (2) Violates any rule adopted pursuant to this chapter[~~,~~
11 may];

12 (3) Violates any order of the commission;

13 (4) Fails to obtain a permit when a permit is required
14 pursuant to this chapter;

15 (5) Fails to comply with permit conditions; or

16 (6) Fails to comply with standardized water audit
17 requirements pursuant to Act 169, Session Laws of
18 Hawaii 2016,

19 shall be subject to a fine imposed by the commission. [~~Such~~]

20 The fine shall be not less than \$50 and shall not exceed

21 [~~\$5,000. For a continuing offense, each day during which the~~



1 ~~offense is committed is a separate violation.] \$60,000 per~~
2 violation. Each day that a violation exists or continues to
3 exist shall constitute a separate offense. Penalties for
4 continuing violations shall be assessed from the earliest known
5 date of the violation. The earliest known date of a violation
6 shall be determined by the commission by a preponderance of the
7 evidence; provided that if the earliest known date cannot be
8 determined by a preponderance of evidence, penalties for
9 continuing violations shall be assessed from the earliest date
10 that the commission is made aware of the violation.

11 (c) When imposing a penalty, the commission shall consider
12 the following factors, which shall include but not be limited
13 to:

- 14 (1) The nature, circumstances, extent, gravity, and
15 history of the violation and of any prior violations;
16 (2) The economic benefit to the violator, or anticipated
17 by the violator, resulting from the violation;
18 (3) The opportunity, difficulty, and history of corrective
19 action;
20 (4) Good faith efforts to comply;
21 (5) Degree of culpability; and



1 (6) Other matters as justice may require.

2 [~~(e)~~] (d) No provision of this chapter shall bar the right
3 of any injured person to seek other legal or equitable relief
4 against a violator of this chapter.

5 [~~(d)~~] (e) Except as otherwise provided by law, the
6 commission or its authorized representative by proper delegation
7 ~~[may]~~ shall set, charge, and collect administrative fines ~~[or]~~;
8 may bring legal action to recover administrative fees and costs
9 as documented by receipts or affidavit, including ~~[attorneys']~~
10 attorney's fees and costs; ~~[or]~~ and may bring legal action to
11 recover administrative fines, fees, and costs, including
12 ~~[attorneys']~~ attorney's fees and costs, or payment for damages
13 resulting from a violation of this chapter or any rule adopted
14 pursuant to this chapter."

15 SECTION 11. Section 174C-62, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "~~[+]~~**\$174C-62**~~[+]~~ **Declaration of water shortage.** (a) The
18 commission shall formulate a statewide plan for implementation
19 during periods of water shortage. As a part of the plan, the
20 commission shall adopt a reasonable system of permit



1 classification according to source of water supply, method of
2 extraction or diversion, use of water, or a combination thereof.

3 (b) The commission, by rule, may declare that a water
4 shortage exists within all or part of an area, whether within or
5 outside of a water management area, when insufficient water is
6 available to meet the requirements of the permit system or when
7 conditions [~~are such as to~~] require a temporary reduction in
8 total water use within the area to protect water resources from
9 serious harm. The commission shall publish a set of criteria
10 for determining when a water shortage exists[~~-~~], including but
11 not limited to impacts and effects of the climate crisis.

12 (c) In accordance with the plan adopted under subsection
13 (a), the commission may impose [~~such~~] restrictions on one or
14 more classes of permits and outside of management areas on well
15 and stream diversion owners and operators as may be necessary to
16 protect the water resources of the area from serious harm and to
17 restore them to their previous water quantity or chloride level
18 condition.

19 (d) A declaration of water shortage and any measures
20 adopted pursuant thereto may be rescinded by rule by the
21 commission.



1 (e) When a water shortage is declared, the commission
2 shall cause a notice [~~thereof~~] of the water shortage to be
3 published in a prominent place in a newspaper of general
4 circulation throughout the area[~~,-~~] and on the commission's
5 website. The notice shall be published each day for the first
6 week of the shortage and once a week [~~thereafter~~] for four
7 months, followed by monthly publications until the declaration
8 is rescinded. Publication of [~~such~~] the notice shall serve as
9 notice to all water users in the area of the condition of water
10 shortage.

11 (f) The commission shall cause each permittee in the area
12 to be notified by regular and electronic mail of any change in
13 the conditions of the permittee's permit, any suspension
14 [~~thereof,~~] of the permittee's permit, or of any other
15 restriction on the use of water for the duration of the water
16 shortage.

17 (g) If an emergency condition arises due to a water
18 shortage within any area, whether within or outside of a water
19 management area, and if the commission finds that the
20 restrictions imposed under subsection (c) are not sufficient to
21 protect the public health, safety, or welfare, or the health of



1 animals, fish, or aquatic life, or a public water supply, or
2 recreational, municipal, agricultural, or other reasonable uses,
3 the commission may issue orders reciting the existence of such
4 an emergency and requiring that such actions as the commission
5 deems necessary to meet the emergency be taken, including but
6 not limited to apportioning, rotating, limiting, or prohibiting
7 the use of the water resources of the area. Any party to whom
8 an emergency order is directed may challenge such an order but
9 shall immediately comply with the order, pending disposition of
10 the party's challenge. The commission shall give precedence to
11 a hearing on such challenge over all other pending matters."

12 SECTION 12. If any provision of this Act, or the
13 application thereof to any person or circumstance, is held
14 invalid, the invalidity does not affect other provisions or
15 applications of the Act that can be given effect without the
16 invalid provision or application, and to this end the provisions
17 of this Act are severable.

18 SECTION 13. This Act does not affect rights and duties
19 that matured, penalties that were incurred, and proceedings that
20 were begun before its effective date.



1 SECTION 14. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 15. This Act shall take effect on July 1, 3000.



Report Title:

CWRM; BLNR; Public Trust Purpose; Responsibilities; Commission Membership; Executive Director; Independent Legal Counsel; Emergency Order; Water Emergencies; Water Shortage Declarations; Fines

Description:

Defines the public trust purposes of the commission on water resource management and requires the commission, in acting upon water use permit applications, to prioritize applications for public trust purposes. Allows the commission to retain independent legal counsel. Repeals the position of deputy to the chairperson of the commission and establishes the position of executive director of the commission. Amends the composition of the commission and administratively attaches it to DLNR. Authorizes entities to challenge an emergency order of the commission under certain conditions. Establishes fines for certain water use offenses. Amends the commission's authority to declare water emergencies and issue orders to address them and declare water shortages and related notice requirements. Effective 7/1/3000. (HD1)

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

