
A BILL FOR AN ACT

RELATING TO WATER.

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

1 SECTION 1. Article XI, section 7 of the State Constitution
2 declares that "[t]he State has an obligation to protect, control
3 and regulate the use of Hawaii's water resources for the benefit
4 of its people."

5 In 1990, approximately 2,000,000,000 gallons of bottled
6 water were sold. By 2003, more than 30,000,000,000 gallons of
7 bottled water were sold with sales topping more than
8 \$35,000,000,000. All indicators show continued growth in this
9 industry worldwide.

10 When the state water code was enacted in 1987, the concept
11 and potential of bottled water as a formidable export commodity
12 was not anticipated. Although over forty per cent of bottled
13 water sold in the United States is municipal tap water run
14 through filters and treated with minerals or other additives, the
15 rest of the bottled water is pumped directly from groundwater
16 sources.



1 Currently, the State has no direct policy or regulation on
2 bottled water originating directly from groundwater sources. This
3 consumptive use usually results in bulk water exports with no
4 known reasonable-beneficial use to citizens of the State who
5 collectively own the State's groundwater as a public trust
6 resource.

7 The purpose of this Act is to declare a moratorium on bottled
8 water processors utilizing water originating from groundwater
9 resources not under the direct control of the county boards of
10 water supply until a policy is developed to guide the development
11 of this type of consumptive use of water.

12 SECTION 2. (a) Notwithstanding any law to the contrary,
13 all manufacture, production, processing, and sales of bottled
14 water that originates from groundwater sources in the State, not
15 under the control of county boards of water supply, is
16 prohibited for a period of years, beginning July 1, 2007.

17 During the moratorium provided under this Act the
18 department of land and natural resources, with the assistance of
19 the boards of water supply from the counties of Hawaii, Maui,
20 and Kauai and the city and county of Honolulu and any other
21 federal, state, county, or private agency or party, as selected
22 by the department of land and natural resources, shall develop



1 appropriate policies, rules, and procedures, pursuant to chapter
2 91, with respect to the manufacture, production, processing, and
3 sale of bottled water that originates from groundwater sources
4 in the State and not under the control of county boards of water
5 supply.

6 (b) The department of land and natural resource shall
7 administer this Act to ensure that all provisions of this Act
8 are met.

9 (c) The department of land and natural resources shall
10 report its findings and recommendations, including any proposed
11 legislation, to the legislature no later than twenty days prior
12 to the convening of the regular session of 2008.

13 SECTION 3. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$, or so much
15 thereof as may be necessary for fiscal year 2007-2008, for the
16 purposes of this Act.

17 The sum appropriated shall be expended by the department of
18 land and natural resources for the purposes of this Act.

19 SECTION 4. This Act shall take effect on July 1, 2007.

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[Handwritten signatures and text]
INTRODUCED BY: *Mumukshu*
Scott K. Pan
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[Additional handwritten signatures]

H.B. NO. 1789

Uwale Camille

JAN 24 2007

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Report Title:

Bottled Water; Moratorium

Description:

Imposes a moratorium of an unspecified period on the processing of bottled water originating from groundwater sources in the State. Also requires the department of land and natural resources to adopt rules regarding bottled water and to report to the legislature. Also provides an appropriation of an unspecified amount.

