

Hawaii

# A&B Water Rights Bill May Have New Life

**UPDATED:** There is talk that the Hawaii state Senate will vote on the controversial legislation as early as Tuesday.



38

By Chad Blair    / April 6, 2019

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When two state Senate committees [deadlocked Thursday](#) on a bill allowing small farmers and ranchers and two utility companies to continue diverting public stream water for three more years, it appeared the legislation was dead.

The Water and Land Committee under Chair Kai Kahele narrowly voted in favor of [House Bill 1326](#), but the Ways and Means Committee under Chair Donovan Dela Cruz deferred action.

That meant HB 1326 would not advance, because Friday was a key deadline date.

The reason for the deadlock is that, under Kahele's [proposed amendment](#) to the bill, Alexander & Baldwin would not retain water diversion rights — something the bill had called for up until Thursday. Some senators want to help A&B.

Now, sources say leadership in the House of Representatives is pressuring their counterparts in the Senate to force a floor vote on the bill Tuesday.



Chair Kai Kahele, at right, reacted as his proposed amendment to House Bill 1325 was deferred by Sen. Dela Cruz, at left, Thursday.

**Update:** It would require the Senate to pull HB 1326 out of WAM and Water and Land, a rare move but one allowed for under legislative rules as long as a sufficient number of senators support the move.

What's more, the version of the bill would be the last draft approved by the House before it crossed over to the Senate.

That's important, because the [House Draft 2](#) (known as an HD2) says the bill would go into effect June 29 of this year. Under the HD2, the lease rights, granted by the state Department of Land and Natural Resources, would be extended seven years and would apply to A&B.

To put it another way, if just 13 senators in the 25-member chamber vote "aye" on Tuesday, HB 1326 would go to Gov. David Ige for his consideration

next week.

Civil Beat granted anonymity to five sources — including two lawmakers — familiar with the latest proposal for the bill because revealing their identities could harm their professional relationships.

HB 1326 has emerged as perhaps the most contentious bill of the 2019 session, just as it did in 2016 when lawmakers decided to extend water permit rights to the same businesses. The extension ends this year.

Dela Cruz and House Speaker Scott Saiki did not respond to media inquiries Saturday afternoon.

Opponents of HB 1326, including Native Hawaiians, environmentalists and small farmers, are organizing to get the word out about the bill's possible revival.

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## About the Author



**Chad Blair** [✈](#) [✉](#) [📶](#)

Chad Blair is the politics and opinion editor for Civil Beat. You can reach him by email at [cblair@civilbeat.org](mailto:cblair@civilbeat.org) or follow him on Twitter at [@chadblairCB](https://twitter.com/chadblairCB).