

JAN 28 2009

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# A BILL FOR AN ACT

RELATING TO HAWAIIAN FISHPONDS.

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

1 SECTION 1. Section 171-28, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "~~§171-28 Government-owned Hawaiian [fish ponds.]~~  
4 fishponds; sale prohibition. (a) The board may investigate and  
5 develop scientific commercial management practices for  
6 government-owned Hawaiian [~~fish ponds~~] fishponds and  
7 reconstruct, rehabilitate, improve, and stock the [~~fish ponds;~~]  
8 fishponds; and expend moneys from the special land and  
9 development fund. All revenues derived from any government-  
10 owned Hawaiian [~~fish pond~~] fishpond shall be deposited in the  
11 fund.

12 (b) The board may lease government-owned Hawaiian [~~fish~~  
13 ~~ponds~~] fishponds with legislative authorization as provided  
14 under section 171-53(c); provided that in lieu of legislative  
15 authorization, the board may lease such [~~fish ponds~~] fishponds  
16 if:

17 (1) A public hearing is conducted on the proposed lease on  
18 the island where the [~~fish pond~~] fishpond is located;



1 (2) The board finds that the proposed lease does not cause  
 2 a substantial adverse environmental or ecological  
 3 impact on the [~~fish pond~~] fishpond or surrounding  
 4 area; and

5 (3) The proposed lease is not in violation of applicable  
 6 federal, state, or county laws.

7 (c) Any law to the contrary notwithstanding, the board may  
 8 not sell public land on which government-owned Hawaiian  
 9 fishponds are located."

10 SECTION 2. This Act does not affect rights and duties that  
 11 matured, penalties that were incurred, and proceedings that were  
 12 begun, before its effective date.

13 SECTION 3. Statutory material to be repealed is bracketed  
 14 and stricken. New statutory material is underscored.

15 SECTION 4. This Act shall take effect upon its approval.  
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INTRODUCED BY:

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**Report Title:**

Government-owned Hawaiian fishponds; prohibition on sale.

**Description:**

Prohibits the sale of public lands on which government-owned Hawaiian fishponds are located.

