

JAN 26 2011

A BILL FOR AN ACT

RELATING TO AQUACULTURE.

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

1 SECTION 1. Section 26-19, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§26-19 Department of transportation.** The department of
4 transportation shall be headed by a single executive to be known
5 as the director of transportation.

6 The department shall establish, maintain, and operate
7 transportation facilities of the State, including highways,
8 airports, harbors, and such other transportation facilities and
9 activities as may be authorized by law.

10 The department shall plan, develop, promote, and coordinate
11 various transportation systems management programs that shall
12 include, but not be limited to, alternate work and school hours
13 programs, bicycling programs, and ridesharing programs.

14 The department shall develop and promote ridesharing
15 programs which shall include but not be limited to, carpool and
16 vanpool programs, and may assist organizations interested in
17 promoting similar programs, arrange for contracts with private
18 organizations to manage and operate these programs, and assist



1 in the formulation of ridesharing arrangements. Ridesharing
2 programs include informal arrangements in which two or more
3 persons ride together in a motor vehicle.

4 The department may designate any unused or underutilized
5 public lands of the department to be used for aquacultural
6 purposes and may enter into agreements to authorize the
7 department of land and natural resources or the department of
8 agriculture to dispose of delegated lands in any manner
9 consistent with the use of lands for aquacultural purposes
10 authorized by law.

11 The functions and authority heretofore exercised by the
12 department of public works with respect to highways are
13 transferred to the department of transportation established by
14 this chapter.

15 On July 1, 1961, the Hawaii aeronautics commission, the
16 board of harbor commissioners and the highway commission shall
17 be abolished and their remaining functions, duties, and powers
18 shall be transferred to the department of transportation.

19 Upon the abolishment of the Hawaii aeronautics commission,
20 the board of harbor commissioners, and the highway commission,
21 there shall be established within the department of
22 transportation a commission to be known as the commission on



1 transportation which shall sit in an advisory capacity to the
2 director of transportation on matters within the jurisdiction of
3 the department of transportation. The commission on
4 transportation shall consist of not more than eleven members,
5 with the number of members from each county insofar as
6 practicable being approximately proportional to the population
7 of the respective counties to the population of the State;
8 provided that each of the four counties shall be represented by
9 at least one member."

10 SECTION 2. Section 171-3, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "§171-3 Department of land and natural resources. (a)
13 The department of land and natural resources shall be headed by
14 an executive board to be known as the board of land and natural
15 resources. The department shall manage, administer, and
16 exercise control over public lands, the water resources, ocean
17 waters, navigable streams, coastal areas [+]excluding commercial
18 harbor areas[+], and minerals and all other interests therein
19 and exercise [~~such~~] all powers of disposition [~~thereof~~] as may
20 be authorized by law. The department shall also manage and
21 administer the state parks, historical sites, forests, forest
22 reserves, aquatic life, aquatic life sanctuaries, public fishing



1 areas, boating, ocean recreation, coastal programs, wildlife,
2 wildlife sanctuaries, game management areas, public hunting
3 areas, natural area reserves, and other functions assigned by
4 law.

5 (b) Notwithstanding subsection (a), beginning January 1,
6 2010, the authority to manage, administer, and exercise control
7 over any public lands that are designated important agricultural
8 lands pursuant to section 205-44.5, shall be transferred to the
9 department of agriculture.

10 (c) The department may exercise any power granted to it
11 pursuant to this chapter or otherwise over lands designated by
12 the department of transportation for use for aquacultural
13 purposes."

14 SECTION 3. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 4. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

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1 SECTION 5. This Act shall take effect July 1, 2011.

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INTRODUCED BY:

Armani Eghish

Vanndel



Report Title:

Department of Transportation; Aquacultural Purposes

Description:

Authorizes the department of transportation to designate lands of the department of transportation for aquacultural purposes and to enter into agreements with the department of land and natural resources.

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