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# A BILL FOR AN ACT

RELATING TO KEWALO BASIN.

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

1           SECTION 1. Act 3, Special Session Laws of Hawaii 2007,  
2 appropriated funds to the Hawaii community development authority  
3 to remediate property, at tax map keys 2-1-058:041 and 2-1-  
4 058:116, in Kewalo basin cove for the continued use by the  
5 Kewalo Keiki Fishing Conservancy. On September 11, 2007, the  
6 attorney general issued opinion number 2007-02 opining the  
7 unconstitutionality of the Act. The Hawaii constitution  
8 requires that lands controlled by the State be exercised only by  
9 general laws, subject to certain exceptions. General laws apply  
10 uniformly to all persons and entities. Conversely, special laws  
11 affect a fraction of persons and grant privilege to some people  
12 and not others.

13           The legislature finds that Act 3, violates the prohibition  
14 on special legislation of article XI, section 5, of the Hawaii  
15 Constitution by enacting a special law treating the private  
16 organization Kewalo Keiki Fishing Conservancy differently from  
17 all other entities that may wish to use the property at tax map  
18 keys 2-1-058:041 and 2-1-058:116.



1           The purpose of this Act is to repeal Act 3, Special Session  
2 Laws of Hawaii 2007.

3           SECTION 2. Act 3, Special Session Laws of Hawaii 2007, is  
4 repealed.

5           SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:           *B. Casper*          

JAN 23 2013



# H.B. NO. 1097

**Report Title:**

Kewalo Basin; Kewalo Keiki Fishing Conservancy; Hawaii Community Development

**Description:**

Repeals Act 3, Special Session Laws of Hawaii 2007.

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