

ACT 256

H.B. NO. 1708-86

A Bill for an Act Relating to a Statewide Kapu System.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that if the State is to provide its citizens with the benefits of our ocean resources on a continual basis, preventive measures rather than reactive measures must be taken to avoid

depleting these valuable resources. The legislature finds that a system that permits the opening and closing of certain areas to fishing on an alternating basis can provide an effective means of controlling indiscriminate and excessive fishing. The legislature further finds that the department of land and natural resources has successfully tested such a system with the establishment of the Waikiki-Diamond Head Shoreline Fisheries Management Area and that an expansion of such a management system throughout the State is appropriate at this time.

The purpose of this Act is to establish a statewide kapu system to protect and manage Hawaii's ocean resources by appropriating funds for this purpose.

In establishing and implementing a statewide kapu system for ocean resources, it is the intent of the legislature that the department of land and natural resources include as an additional provision of the system a permanent ban on all net fishing within the harbors of the State which are under the jurisdiction of the state department of transportation, with the exception of the netting of Nehu or bait fish.

SECTION 2. This Act shall not diminish traditional and customary native Hawaiian rights. The board of land and natural resources shall preserve these rights through the adoption of rules and regulations in administering the provisions of this chapter.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$50,000, or so much thereof as may be necessary for fiscal year 1986-1987, to carry out the purposes of this Act. The sum appropriated shall be expended by the department of land and natural resources.

SECTION 4. This Act shall take effect on July 1, 1986.

(Approved May 29, 1986.)