

ACT 210

H.B. NO. 1665

A Bill for an Act Relating to Hawaiian Fishponds.

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

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

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

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

- (1) A public hearing is conducted on the proposed lease on the island where the ~~fish pond~~ fishpond is located;
- (2) The board finds that the proposed lease does not cause a substantial adverse environmental or ecological impact on the ~~fish pond~~ fishpond or surrounding area; and
- (3) The proposed lease is not in violation of applicable federal, state, or county laws.

(c) Any law to the contrary notwithstanding, the board may not sell the fee interest in public lands on which government-owned Hawaiian fishponds are located.”

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

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 4. This Act shall take effect upon its approval.

(Became law on July 6, 2010, without the governor’s signature, pursuant to Art. III, §16, State Constitution.)