
A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

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

1 SECTION 1. Section 6E-2, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 "Mitigation plan" means a plan, approved by the
5 department, for the care and disposition of historic properties,
6 aviation artifacts, and burial sites or the contents thereof,
7 that includes monitoring, protection, restoration, and
8 interpretation plans."

9 SECTION 2. Section 6E-11, Hawaii Revised Statutes, is
10 amended by amending subsections (a) and (b) to read as follows:

11 "(a) It shall be a civil and administrative violation for
12 any person to take, appropriate, excavate, injure, destroy, or
13 alter any historic property or aviation artifact located upon
14 the private lands of any owner thereof without the owner's
15 written permission being first obtained. It shall be a civil
16 and administrative violation for any person to take,
17 appropriate, excavate, injure, destroy, or alter any historic
18 property or aviation artifact located upon lands owned or



1 except as permitted by the department~~[]~~, or to knowingly
2 violate the conditions set forth in an approved mitigation plan
3 that includes monitoring and preservation plans.

4 (b) It shall be a civil and administrative violation for
5 any person to knowingly take, appropriate, excavate, injure,
6 destroy, or alter any burial site, or the contents thereof,
7 located on private lands or lands owned or controlled by the
8 State or any of its political subdivisions, except as permitted
9 by the department, ~~[or]~~ to knowingly fail to re-inter human
10 remains discovered on the lands in a reasonable period of time
11 as determined by the department~~[]~~, or to knowingly violate the
12 conditions set forth in an approved mitigation plan that
13 includes monitoring and preservation plans."

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 Statutory material to be repealed is bracketed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.

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



HB 2857
HD1

Report Title:

Historic Preservations; Penalties.

Description:

Makes a knowing violation of the conditions of an approved mitigation plan that includes monitoring and preservation plans a civil and administrative violation. (HB2857 HD1)

HB2857 HD1 HMS 2006-2266

