

JAN 18 2006

S.B. NO. 2004

A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

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

1 SECTION 1. Recent news articles have brought to the
2 public's attention the recent use by the boating public of the
3 small sand bar situated in Kaneohe bay, known to native
4 Hawaiians as Ahu o Laka. According to the news articles, the
5 sand bar is named after an Oahu chief, Laka, who died there.
6 However, other oral historical sources from native Hawaiians
7 residing on the windward side of Oahu indicate that the sand bar
8 is named as an altar to the ancient goddess of hula, Laka. When
9 the sacred art of hula was banned by western influences, many
10 followers would practice the art of hula surreptitiously in
11 hidden and remote places. The sand bar was deemed to be an
12 excellent locale for this practice since it was remote.
13 Further, the sand was an excellent medium to dance upon.
14 The recent news articles described public concerts on the
15 sand bar attracting hundreds of persons, resulting in drinking,
16 littering, and fights. These reports raise concerns relating to
17 the desecration of a culturally significant place and the
18 degradation of an important aesthetical resource of the State.



1 The purpose of this Act is to designate Ahu o Laka as a
2 state monument and to restrict certain activities there.

3 SECTION 2. Chapter 6E, Hawaii Revised Statutes, is amended
4 by adding a new section to part II to be appropriately
5 designated and to read as follows:

6 "§6E- Ahu o Laka State Monument. (a) There shall be an
7 Ahu o Laka State Monument as a historical, cultural, and
8 aesthetically valued site at Kaneohe, Oahu, to be administered
9 by the department of land and natural resources and to consist
10 of:

- 11 (1) The approximately three-acre sand bar in Kaneohe bay,
12 off Heeia, that is above the water's surface at low
13 tide; and
14 (2) The surrounding state marine waters, as that term is
15 defined in section 190D-3, that the department of land
16 and natural resources determines is necessary for the
17 preservation of the historical, cultural, and
18 aesthetic resources of the Ahu o Laka State Monument.

19 (b) The following uses or activities are prohibited in the
20 Ahu o Laka State Monument:

- 21 (1) Commercial activities, including but not limited to
22 commercial filming activities;

1 (2) Use of equipment for the amplification of sound; and

2 (3) Possession of any bottle, can, or other receptacle

3 containing any intoxicating liquor, as defined in

4 section 281-1, that has been opened or had a seal

5 broken or the contents of which have been partially

6 removed.

7 (c) The department of land and natural resources may adopt

8 rules, pursuant to chapter 91, for the protection of Ahu o Laka

9 State Monument, including but not limited to, determining a

10 maximum size vessel, as that term is defined in section 291E-1,

11 or the human carrying capacity that may enter the Ahu o Laka

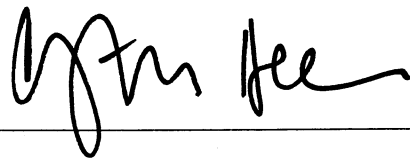
12 State Monument at any given time during a day."

13 SECTION 3. New statutory material is underscored.

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

15

INTRODUCED BY:





SB 2004

Report Title:

Historic Preservation; Ahu o Laka

Description:

Establishes Ahu o Laka State Monument; restricts activities at the Ahu o Laka State Monument.

