

JAN 25 2006

S.B. NO. 2670

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-11, Hawaii Revised Statutes, is
2 amended by amending subsections (a) and (b) to read as follows:

3 "(a) It shall be a civil and administrative violation for
4 any person to take, appropriate, excavate, injure, destroy, or
5 alter any historic property or aviation artifact located upon
6 the private lands of any owner thereof without the owner's
7 written permission being first obtained. It shall be a civil
8 and administrative violation for any person to take,
9 appropriate, excavate, injure, destroy, or alter any historic
10 property or aviation artifact located upon lands owned or
11 controlled by the State or any of its political subdivisions,
12 except as permitted by the department[-], or to knowingly
13 violate the conditions set forth in an approved mitigation plan
14 that includes monitoring and preservation plans.

15 (b) It shall be a civil and administrative violation for
16 any person to knowingly take, appropriate, excavate, injure,
17 destroy, or alter any burial site or the contents thereof,
18 located on private lands or lands owned or controlled by the



1 State or any of its political subdivisions, except as permitted
 2 by the department, [~~or~~] to knowingly fail to re-inter human
 3 remains discovered on the lands in a reasonable period of time
 4 as determined by the department [-], or to knowingly violate the
 5 conditions set forth in an approved mitigation plan that
 6 includes monitoring and preservation plans."

7 SECTION 2. Statutory material to be repealed is bracketed
 8 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: *Jessie Q. Tronzo*
Will Grew
Erzanne Chun Oakland

SB. NO. 2670

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.

