

JAN 25 2006

S.B. NO. 2673

A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

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

1 SECTION 1. Chapter 6E, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§6E- Historic and cultural properties buffers; public
5 use. (a) The department shall ensure that public historic and
6 cultural properties have sufficient surrounding public lands to
7 serve as a buffer for the protection and preservation of the
8 public historic and cultural properties.

9 (b) The acquisition of private lands to serve as a buffer
10 for the protection and preservation of public historic and
11 cultural properties shall be deemed a taking of private property
12 for public use pursuant to section 101-2."

13 SECTION 2. New statutory material is underscored.

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

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Report Title:

Historic Preservation; Eminent Domain

Description:

Requires DLNR to ensure sufficient buffers for public historic and cultural properties. Specifies that acquisition of surrounding lands for buffers is a taking of private property for public use.

