

A Bill for an Act Relating to Historic Preservation.

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

SECTION 1. Section 6E-38.5, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§6E-38.5]]~~ **Kohala Historic<sup>1</sup> Sites State Monument.** (a) There shall be a Kohala Historical Sites State Monument as an historical site on the island of Hawaii ~~[which]~~ that shall include a cluster of historical sites, including ~~[, but not limited to,]~~ the Mo‘okini Heiau, the Kamehameha birthsite, the Kukuipahu Heiau, and, upon acquisition by the State, the Mahukona historical sites. The monument shall be administered by the department of land and natural resources and shall consist of lands essential to the unimpaired preservation of the visual, cultural, and historical aspects of the Mo‘okini Luakini, Kamehameha birthsite, Kukuipahu Heiau, and Mahukona historical sites. The monument shall be for educational and cultural purposes and there shall be public access for enjoyment of the sites ~~[which]~~ that are included within the monument.

The real property to be included within the monument shall include:

- (1) Mo‘okini Luakini, Kamehameha birthsite, and Kukuipahu Heiau owned by the State;
- (2) Historical sites at Mahukona; and ~~[sufficient]~~
- (3) Sufficient additional land surrounding all of the monument sites to preserve and protect them with adequate buffers and provide public access, including but not limited to those lands running along the coast between Huinamaka and Kalaelimukoko and those lands mauka of the Mo‘okini Heiau encompassing the area formerly used for the housing of the Mo‘okini priests and family gravesites, to be acquired by the State through gifts or land exchanges and to be designated by the board of land and natural resources as part of the monument upon acquisition.

(b) Prior to any alterations or improvements, not including routine maintenance to the monument, including the Mo‘okini Heiau, the department of land and natural resources shall consult with the kahuna nui of the Mo‘okini Heiau regarding the proposed alterations or improvements.

(c) Prior to any additional organized profit-making venture involving the monument, including the Mo‘okini Heiau, the entity proposing the venture shall consult with the kahuna nui of the Mo‘okini Heiau regarding the proposed venture.”

SECTION 2. This Act shall not apply to any act taken by the department of land and natural resources prior to 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.

(Vetoed by Governor and veto overridden by Legislature on May 1, 2007.)

**Note**

- 1. Prior to amendment “Historical” appeared here.