

VETO

THE SENATE
TWENTY-FOURTH LEGISLATURE, 2007
STATE OF HAWAII

S.B. NO. 1816
S.D. 1
H.D. 1

A BILL FOR AN ACT **VETO OVERRIDE**

RELATING TO HISTORIC PRESERVATION.

ACT No. 59
Approved: [Signature]
Dated: May 1, 2007

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

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

3 " ~~[§]~~ **6E-38.5** ~~[§]~~ **Kohala Historic Sites State Monument.** (a)

4 There shall be a Kohala Historical Sites State Monument as an
5 historical site on the island of Hawaii ~~[which]~~ that shall
6 include a cluster of historical sites, including ~~[, but not~~
7 ~~limited to,~~] the Mo'okini Heiau, the Kamehameha birthsite, the
8 Kukuipahu Heiau, and, upon acquisition by the State, the
9 Mahukona historical sites. The monument shall be administered
10 by the department of land and natural resources and shall
11 consist of lands essential to the unimpaired preservation of the
12 visual, cultural, and historical aspects of the Mo'okini Luakini,
13 Kamehameha birthsite, Kukuipahu Heiau, and Mahukona historical
14 sites. The monument shall be for educational and cultural
15 purposes and there shall be public access for enjoyment of the
16 sites ~~[which]~~ that are included within the monument.



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

3 (1) Mo'okini Luakini, Kamehameha birthsite, and Kukuipahu
4 Heiau owned by the State;

5 (2) Historical sites at Mahukona; and [~~suffieient~~]

6 (3) Sufficient additional land surrounding all of the
7 monument sites to preserve and protect them with
8 adequate buffers and provide public access, including
9 but not limited to those lands running along the coast
10 between Huinamaka and Kalaelimukoko and those lands
11 mauka of the Mo'okini Heiau encompassing the area
12 formerly used for the housing of the Mo'okini priests
13 and family gravesites, to be acquired by the State
14 through gifts or land exchanges and to be designated
15 by the board of land and natural resources as part of
16 the monument upon acquisition.

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



1 (c) Prior to any additional organized profit-making
2 venture involving the monument, including the Mo'okini Heiau, the
3 entity proposing the venture shall consult with the kahuna nui
4 of the Mo'okini Heiau regarding the proposed venture."

5 SECTION 2. This Act shall not apply to any act taken by
6 the department of land and natural resources prior to its
7 effective date.

8 SECTION 3. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

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

