

JAN 20 2010

A BILL FOR AN ACT

RELATING TO HAWAIIAN ARTIFACTS.

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

1 SECTION 1. Section 6E-2, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 "Hawaiian artifacts" means objects or materials associated
5 with the culture, history, or heritage of the aboriginal peoples
6 inhabiting the Hawaiian Islands which exercised sovereignty and
7 subsisted in the Hawaiian Islands in 1778, and which peoples
8 thereafter continued to reside in Hawaii."

9 SECTION 2. Section 6E-7, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§6E-7 State title to historic property.** (a) All
12 historic property located on lands or under waters owned or
13 controlled by the State shall be the property of the State. The
14 control and management of the historic property shall be vested
15 in the department.

16 (b) The department may dispose of the historic property
17 subject to chapter 171 and subject further to those
18 reservations, restrictions, covenants, or conditions which



1 relate to the preservation of the historic property, such as
2 rights of access, public visitation, operation, maintenance,
3 restoration, and repair. The department shall determine the
4 conditions for any research affecting the historic property and
5 may issue permits for the research.

6 (c) The State shall hold known burial sites located on
7 lands or under waters owned or controlled by the State in trust
8 for preservation or proper disposition by the lineal or cultural
9 descendants.

10 (d) The State shall not transfer any historic property or
11 aviation artifact under its jurisdiction without the concurrence
12 of the department, and shall not transfer any burial site under
13 its jurisdiction without consulting the appropriate island
14 burial council.

15 (e) The State shall hold Hawaiian artifacts found on lands
16 or under waters owned or controlled by the State in trust for
17 preservation or proper disposition."

18 SECTION 3. New statutory material is underscored.



S.B. NO. 2184

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

2

INTRODUCED BY:



BY REQUEST



Report Title:

Hawaiian Artifacts; Historic Preservation

Description:

Requires the State to hold Hawaiian artifacts found on lands or under waters controlled by the State in trust for preservation and disposition.

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