

ACT 124

H.B. NO. 181

A Bill for an Act Relating to Historic Preservation.

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

SECTION 1. Section 6E-7, Hawaii Revised Statutes, is amended to read as follows:

“[[]§6E-7[]] State title to historic property [on state lands]. [The State reserves to itself the exclusive right and privilege of ownership and control over historic property located on lands or under waters owned or controlled by the State. Standards of control over all historic property located on lands owned by the State shall be vested in the department and the department may issue permits for activities relating to the historic property, and may establish restrictions and covenants controlling permitted activities for the purposes of historic preservation.

The State shall not transfer any historic property under its jurisdiction without the concurrence of the department. The State shall retain the rights to, and control over, all historic property located on lands leased to others. In all

cases where property is leased or conveyed, it shall be subjected by covenant or otherwise to such rights of access, public visitation, and other conditions or restrictions of operation, maintenance, restoration, and repair as the department may prescribe to accomplish the purposes of historic preservation.]

(a) All historic property located on lands or under waters owned or controlled by the State shall be the property of the State. The control and management of the historic property shall be vested in the department.

(b) The department may dispose of the historic property subject to chapter 171 and subject further to those reservations, restrictions, covenants or conditions which relate to the preservation of the historic property, such as rights of access, public visitation, operation, maintenance, restoration, and repair. The department shall determine the conditions for any research affecting the historic property and may issue permits for the research.

(c) The State shall not transfer any historic property under its jurisdiction without the concurrence of the department."

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved May 28, 1985.)