

ACT 166

H.B. NO. 3772

A Bill for an Act Relating to State Monuments.

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

SECTION 1. The purpose of this Act is to preserve and protect a cluster of historical sites in North Kohala, on the island of Hawaii. The sites include the Mo'okini Luakini, Kamehameha birthsite, Kukuipahu Heiau and historical sites at Mahukona. This Act establishes a Kohala Historical Sites State Monument consisting of those sites. Proper facilities, including access and water, consistent with the care and preservation of the sites, should be provided for the monument. Interpretative methods compatible with the preservation of the natural atmosphere of the sites must be developed to educate residents and visitors about the monument.

Although the Mo'okini Luakini, Kamehameha birthsite and Kukuipahu Heiau are presently owned by the State, additional land surrounding these sites must be acquired by the State to preserve and protect the sites with adequate buffers. The State shall acquire land sufficient to buffer the sites to be included in the monument and to provide public access to them. The Mo'okini Heiau and the

Kamehameha birthsite will be administered by the department of land and natural resources in compliance with the terms of the deeds granting the Mo'okini Heiau site and the Kamehameha birthsite to the State.

Because the Mahukona historical sites are privately owned, they cannot be included in the monument at present. However, the Mahukona historical sites have been determined to be potentially significant for informational and cultural content and as representative examples of site types. The Legislature finds that these sites should be part of the land to be acquired by the State and be included within the monument upon acquisition.

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

**“§6E- Kohala Historical Sites State Monument.** There shall be a Kohala Historical Sites State Monument as an historical site on the island of Hawaii which 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 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 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.”

SECTION 3. The Department of Land and Natural Resources shall submit a report to the Legislature on the actions taken and progress made toward implementing the provisions of this Act no later than twenty days before the convening of the Regular Session of 1993.

SECTION 4. New statutory material is underscored.<sup>1</sup>

SECTION 5. This Act shall take effect upon its approval.

(Approved June 10, 1992.)

**Note**

1. Edited pursuant to HRS §23G-16.5.