

ACT 205

H.B. NO. 1746

A Bill for an Act Relating to Duties of the Kaho‘olawe Island Reserve Commission.
Be It Enacted by the Legislature of the State of Hawaii:

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

“§6K-6 Responsibilities and duties of the commission. The [commission shall:] general administration of the island reserve shall rest with the commission. In carrying out its duties and responsibilities, the commission:

- (1) [Establish] Shall establish criteria, policies, and controls for permissible uses within the island reserve;
- (2) [Approve] Shall approve all contracts for services and rules pertaining to the island reserve;
- (3) [Provide] Shall provide advice to the governor, the department, and other departments and agencies on any matter relating to the island reserve;
- (4) [Provide] Shall provide advice to the office of planning and the department of the attorney general on any matter relating to the federal conveyance of Kaho‘olawe;
- (5) [Enter] May enter into curator or stewardship agreements with appropriate Hawaiian cultural and spiritual community organizations for the perpetuation of native Hawaiian cultural, religious, and subsistence customs, beliefs, and practices for the purposes stated in section 6K-3;
- (6) [Carry] Shall carry out those powers and duties otherwise conferred upon the board of land and natural resources and the land use commission with regard to dispositions and approvals pertaining to the island reserve. All powers and duties of the board of land and natural resources and the land use commission concerning dispositions and approvals pertaining to the island reserve are transferred to the commission;

- (7) [Carry] Shall carry out those powers and duties concerning the island reserve otherwise conferred upon the county of Maui by chapter 205A. The powers and duties of the county of Maui and its agencies concerning coastal zone [disposition] dispositions and approvals pertaining to the island reserve are transferred to the commission; [and]
- (8) Shall carry out those powers and duties concerning the island reserve otherwise conferred upon the island burial councils and the department with regard to proper treatment of burial sites and human skeletal remains found in the island reserve;
- [(8)] (9) [Adopt] Shall adopt rules in accordance with chapter 91 that are necessary for the purposes of this chapter and shall maintain a record of its proceedings and actions[.]; and
- (10) May delegate to the executive director or employees of the commission, by formal commission action, such power and authority vested in the commission by this chapter as the commission deems reasonable and proper for the effective administration of this chapter.’’

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 June 16, 1997.)