
A BILL FOR AN ACT

RELATING TO PUBLIC LANDS.

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

1 SECTION 1. The legislature finds that historic property is
2 a unique and irreplaceable public trust resource. The
3 legislature further finds that chapter 171, Hawaii Revised
4 Statutes, fails to provide guidance with respect to public land
5 involving historic property. The State, as trustee of the
6 public trust assets, including those related to historic
7 property, has duties greater than that of a business manager,
8 and must take into consideration that the "beneficiaries of the
9 public trust are not just present generations but those to
10 come." *In re Waiola O Molokai*, 103 Hawaii'i 401, 421-22, 83
11 P.3d 664, 684-85 (2004).

12 The purpose of this Act is to establish guidelines to be
13 met by the State before it conveys, transfers, or exchanges an
14 interest in public land involving historic property.

15 SECTION 2. Section 6E-7, Hawaii Revised Statutes, is
16 amended by amending subsection (b) to read as follows:

17 "(b) The department may [~~dispose of the historie~~] convey,
18 transfer, or exchange any interest in:



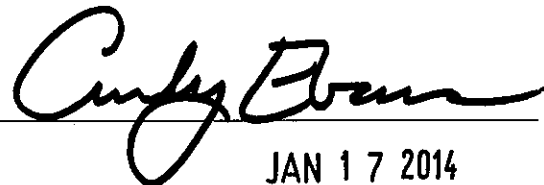
1 (1) Historic property for which it holds title; or
2 (2) Public land involving a history property,
3 subject to chapter 171 [~~and subject further to those~~]; provided
4 that the conveyance, transfer, or exchange substantially
5 advances the interests of historic preservation; and provided
6 further that the conveyance, transfer, or exchange is protected
7 through reservations, restrictions, covenants, or conditions
8 [~~which~~] that relate to the preservation of the historic
9 property[~~, such as~~] or the public land involving the history
10 property being conveyed, transferred, or exchanged, including
11 rights of access, public visitation, operation, maintenance,
12 restoration, and repair. The department shall determine the
13 conditions for any research affecting the historic property and
14 may issue permits for the research."

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

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

18

INTRODUCED BY:


JAN 17 2014



Report Title:

Historic Property; Public Lands

Description:

Requires that conveyances, transfers, and exchanges of historic property or public land involving a historic property be done to advance historic preservation.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

