
A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

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

1 SECTION 1. Section 6E-2, Hawaii Revised Statutes, is
2 amended by amending the definition of "historic property" to
3 read as follows:

4 "Historic property" means any building, structure, object,
5 district, area, or site, including a heiau and an underwater
6 site, ~~which~~ that is over ~~[fifty]~~:

- 7 (1) Fifty years old[-] and meets the criteria to be placed
8 onto the Hawaii register of historic places or has
9 important value to Native Hawaiians or other ethnic
10 groups of the State due to associations with cultural
11 practices once carried out, or still being carried
12 out, at the property or due to associations with
13 traditional beliefs, events, or oral accounts that are
14 important to the group's history, traditional
15 practices, and cultural identity; or
16 (2) One hundred years old."



1 SECTION 2. Section 6E-8, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§6E-8 Review of effect of proposed state projects. (a)**

4 Before any agency or officer of the State or its political
5 subdivisions commences any project which may affect historic
6 property, aviation artifact, or a burial site, the agency or
7 officer shall advise the department and allow the department an
8 opportunity for review of the effect of the proposed project on
9 historic properties, aviation artifacts, or burial sites,
10 consistent with section 6E-43, especially those listed on the
11 Hawaii register of historic places. The proposed project shall
12 not be commenced, or if it has already begun, continued, until
13 the department has given its written concurrence. If:

14 (1) The proposed project consists of corridors or large
15 land areas;

16 (2) Access to properties is restricted; or

17 (3) Circumstances dictate that construction be done in
18 stages,

19 the department may give its written concurrence based on a
20 phased review of the project; provided that there shall be a
21 programmatic agreement between the department and the project



1 applicant that identifies each phase and the estimated timelines
2 for each phase.

3 The department shall provide written concurrence or non-
4 concurrence within ninety days after the filing of a request
5 with the department. The agency or officer seeking to proceed
6 with the project, or any person, may appeal the department's
7 concurrence or non-concurrence to the Hawaii historic places
8 review board. An agency, officer, or other person who is
9 dissatisfied with the decision of the review board may apply to
10 the governor, who may take action as the governor deems best in
11 overruling or sustaining the department.

12 (b) The department of Hawaiian home lands, prior to any
13 proposed project relating to lands under its jurisdiction, shall
14 consult with the department regarding the effect of the project
15 upon historic property or a burial site.

16 (c) The State, its political subdivisions, agencies, and
17 officers shall report to the department the finding of any
18 historic property during any project and shall cooperate with
19 the department in the investigation, recording, preservation,
20 and salvage of the property.



1 (d) State projects on a state-owned building shall not be
2 subject to the department's review unless the affected property:

3 (1) Is more than one hundred years old;

4 (2) Is listed on the Hawaii register of historic places or
5 national register of historic places; or

6 (3) Has a pending application to be added to the Hawaii
7 register of historic places or national register of
8 historic places.

9 [~~d~~] (e) The department shall adopt rules in accordance
10 with chapter 91 to implement this section."

11 SECTION 3. (a) The department of accounting and general
12 services shall conduct a comprehensive survey and inventory of
13 all state-owned buildings to evaluate and nominate potentially
14 eligible buildings for listing on the Hawaii register of
15 historic places or national register of historic places.

16 (b) No later than December 1, 2029, the department of
17 accounting and general services shall:

18 (1) Complete the comprehensive survey and inventory
19 required in subsection (a); and



1 (2) Submit a report of its findings and recommendations,
2 including any proposed legislation, to the
3 legislature.

4 SECTION 4. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$ or so
6 much thereof as may be necessary for fiscal year 2024-2025 for
7 the department of accounting and general services to conduct the
8 comprehensive survey and inventory required in section 3(a) of
9 this Act.

10 The sum appropriated shall be expended by the department of
11 accounting and general services for the purposes of this Act.

12 SECTION 5. In accordance with section 9 of article VII of
13 the Hawaii State Constitution and sections 37-91 and 37-93,
14 Hawaii Revised Statutes, the legislature has determined that the
15 appropriations contained in H.B. No. , will cause the state
16 general fund expenditure ceiling for fiscal year 2024-2025 to be
17 exceeded by \$ or per cent. In addition, the
18 appropriation contained in this Act will cause the general fund
19 expenditure ceiling for fiscal year 2024-2025 to be further
20 exceeded by \$ or per cent. The combined total
21 amount of general fund appropriations contained in only these



1 two Acts will cause the state general fund expenditure ceiling
2 for fiscal year 2024-2025 to be exceeded by
3 \$ or per cent. The reasons for exceeding the
4 general fund expenditure ceiling are that:

- 5 (1) The appropriation made in this Act is necessary to
6 serve the public interest; and
7 (2) The appropriation made in this Act meets the needs
8 addressed by this Act.

9 SECTION 6. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 7. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 8. This Act shall take effect on July 1, 3000.



Report Title:

State Historic Preservation Program; Historic Property;
Department of Accounting and General Services; Comprehensive
Survey and Inventory; Appropriation; Expenditure Ceiling

Description:

Amends the definition of "historic property" for purposes of the historic preservation program. Exempts state projects on state-owned buildings from state historic preservation division review unless the affected property is more than one hundred years old or on or being added to the Hawaii register of historic places or national register of historic places. Requires the department of accounting and general services to conduct a comprehensive survey and inventory of all state-owned buildings within five years to evaluate and nominate potentially eligible buildings for listing on the Hawaii register of historic places or national register of historic places. Appropriates funds. Effective 7/1/3000. (HD1)

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