
A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION REVIEWS.

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

1 SECTION 1. The legislature finds that section 6E-8, Hawaii
2 Revised Statutes, plays an important role in the protection and
3 management of the State's historic properties and burial sites.
4 Section 6E-8(b), Hawaii Revised Statutes, requires the
5 department of Hawaiian home lands, prior to any proposed project
6 relating to lands under its jurisdiction, to consult with the
7 department of land and natural resources regarding the effect of
8 the project upon historic property or a burial site.

9 The purpose of this Act is to allow the department of
10 Hawaiian home lands to assume review of the effect of any
11 proposed project on historic properties or burial sites for
12 lands under its jurisdiction.

13 SECTION 2. Section 6E-8, Hawaii Revised Statutes, is
14 amended by amending subsection (b) to read as follows:

15 "(b) [The] Notwithstanding subsection (a), the department
16 of Hawaiian home lands~~[, prior to]~~ may assume review of any
17 proposed project relating to lands under its jurisdiction~~[,~~



1 ~~shall consult with the department regarding the effect of the~~
 2 ~~project upon historic property or a burial site.] pursuant to~~
 3 this section and pursuant to any administrative rule adopted
 4 thereunder; provided that the department of Hawaiian home lands
 5 shall:

6 (1) Designate the review to a Hawaiian home lands
 7 preservation officer having professional competence
 8 and experience in the field of historic preservation;

9 (2) Ensure that copies of all reports, maps, and
 10 documents, including those reflecting the Hawaiian
 11 home lands preservation official's comments,
 12 recommendations, and decisions, are provided to the
 13 department to be incorporated into the historic
 14 preservation digital document management system and
 15 library; and

16 (3) Provide the department with written notice of the
 17 following:

18 (A) That it has employed a qualified preservation
 19 officer;

20 (B) A description of the procedures that will be
 21 employed to ensure that all of the documentation



1 described in paragraph (2) will be provided to
2 the department; and

3 (C) The date on which the department of Hawaiian home
4 lands will assume responsibility for project
5 review under this section at least forty-five
6 days before the date on which the department of
7 Hawaiian home lands will assume responsibility;
8 provided that the date shall also be made
9 publicly available through posting on the
10 department of Hawaiian home lands' website.

11 The department shall retain authority for review under this
12 section for projects affecting properties listed or nominated
13 for inclusion in the Hawaii register of historic places or the
14 national register of historic places."

15 SECTION 3. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

DHHL; Historic Preservation; Project Reviews of Proposed State Projects

Description:

Allows the Department of Hawaiian Home Lands to assume historic preservation review of any proposed project for lands under its jurisdiction except for projects affecting properties listed or nominated for inclusion in the Hawaii register of historic places or the national register of historic places. Establishes certain written notice requirements for the Department of Hawaiian Home Lands. Effective 7/1/3000. (HD1)

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