
A BILL FOR AN ACT

RELATING TO DESIGNATION OF A HAWAII ARCHEOLOGICAL SURVEY.

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

1 SECTION 1. The legislature finds that the Bernice Pauahi
2 Bishop Museum, which has been designated the State of Hawaii
3 museum of natural and cultural history, houses 1,200,000
4 catalogued natural history and cultural collection items, making
5 it the fourth largest museum collection in the country. To
6 allow researchers, archeologists, educators, and the general
7 public to take advantage of this vast amount of archeological
8 information the museum has access to, including those housed in
9 the museum and those controlled by other public and private
10 entities, the legislature finds it in the public interest to
11 make the information available in a single comprehensive on-line
12 archaeological database that is accessible to all. This
13 database is envisioned to house information about Hawaiian
14 archeological sites, including descriptions of the artifacts
15 uncovered; environmental site conditions; and archival
16 documentation.

17 While the legislature expects this database to be used
18 mainly for learning, research, and monitoring and improved



1 conservation and preservation of Hawaiian archeological
2 resources by all, there is an overriding concern that disclosing
3 certain sensitive information about all sites and artifacts may
4 threaten the safety of some sites and artifacts, particularly if
5 they are not housed in a museum, but are readily accessible to
6 the public, or interred in a natural environment, for example,
7 in caves. For this reason, the legislature believes that the
8 museum should be given some leeway to withhold some sensitive
9 information, either temporarily or permanently as the museum
10 sees fit, to ensure the safety of those sites and artifacts. In
11 addition, the legislature recognizes that the office of Hawaiian
12 affairs is in the best position to advise the museum of the
13 sensitivities of the cultural sites and artifacts. Therefore,
14 the legislature finds that the information in the database
15 should be subject to withholding of information that would
16 frustrate the legitimate state function of protecting the
17 artifacts, as approved under section 92F-13(3), Hawaii Revised
18 Statutes, if it were publicly disclosed.

19 The purpose of this Act is to provide access to
20 archeological information of the Hawaiian archipelago by:

21 (1) Establishing a Hawaii archeological data survey; and



1 (2) Designating it as a program of the State of Hawaii
2 museum of natural and cultural history, subject to any
3 withholding of sensitive information that may be a
4 valid threat to the legitimate state function of
5 protecting the archeological sites and artifacts, as
6 the museum, in consultation with the office of
7 Hawaiian affairs, sees fit.

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

11 "**S6E- Archeological data survey; designation.** (a) A
12 Hawaii archeological data survey is established and designated
13 as a program of the State of Hawaii museum of natural and
14 cultural history. The survey shall be an on-line database
15 consisting of existing documentation of archeological work of
16 the Hawaiian archipelago. To expand the use and knowledge of
17 Hawaii's archeological artifacts, the data survey shall be
18 conducted in consultation with the department of land and
19 natural resources and other appropriate organizations.

20 (b) The museum, in consultation with the office of
21 Hawaiian affairs, is authorized to withhold from the database
22 temporarily or permanently, information that is not required to



1 be disclosed under section 92F-13(3), due to a valid threat that
2 disclosure may frustrate the legitimate government function of
3 protecting valuable archeological sites and artifacts."

4 SECTION 3. New statutory material is underscored.

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



Report Title:

Museum; Archeological Survey

Description:

Establishes and designates the Hawaii archeological survey as a program of the Hawaii museum of natural and cultural history. Creates an exception to disclosure for sensitive information that may frustrate the purpose of protecting the archeological sites and artifacts. (HB245 HD1)

