STAND. COM. REP. NO. 282-22

Honolulu, Hawaii FEB 15, 2022 RE: H.B. No. 2135 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 2135 entitled:

"A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION REVIEWS,"

begs leave to report as follows:

The purpose of this measure is to allow the Department of Hawaiian Home Lands to directly assume review of proposed projects relating to lands under its jurisdiction, rather than consulting the Department of Land and Natural Resources for the effect of those projects upon historic properties or burial sites, under certain conditions.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Hawaiian Home Lands, and one individual. Your Committee received testimony in opposition to this measure from the Historic Hawai'i Foundation and Society for Hawaiian Archaeology.

Your Committee finds that this measure would streamline the process of reviewing certain proposed projects by allowing the Department of Hawaiian Home Lands to assume such responsibility, instead of requiring it to consult with the Department of Land and Natural Resources.



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Your Committee has amended this measure by:

- Adding as a condition for the allowance under this measure, a requirement that the Department of Hawaiian Home Lands provide to the Department of Land and Natural Resources:
  - (A) Written notice that the Department of Hawaiian Home Lands has employed a qualified preservation officer;
  - (B) A description of the procedures that the Department of Hawaiian Home Lands will employ to ensure that all required documentation is provided; and
  - (C) Written notice of the date on which the Department of Hawaiian Home Lands will assume responsibility for project review and post this information on the Department of Hawaiian Home Lands' website; provided that the written notice is provided at least forty-five days prior to the date on which it assumes such responsibility;
- (2) Reserving to the Department of Land and Natural Resources the authority to review projects affecting properties located in a designated historic district;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2135, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2135, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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Respectfully submitted on behalf of the members of the Committee on Water & Land,

DAVID A. TARNAS, Chair

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State of Hawaii

House of Representatives The Thirty-first Legislature Hsce 282-22

## Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB2135	Committee Referral: WALJ JHA			Date: 2/8/2022	
The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <ul> <li>Pass, unamended (as is)</li> <li>Pass, with amendments (HD)</li> <li>Hold</li> <li>Pass short form bill with HD to recommit for future public hearing (recommit)</li> </ul>					
WAL Mem	bers	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	1	$\checkmark$			
2. BRANCO, Patrick Piha	ana (VC)				
3. GANADEN, Sonny	allitan dalam dalam di santi sentin taran pada ser di tari dalam dalam delam delam delam delam delam delam dela I		in the contract of the contract of strain in the second of the second of the second of the second of the second		nia sini nini kana sasi na sini kana kana kana kana sini kana kana kana kana kana kana kana k
4. KOBAYASHI, Bertran	d	/			• muni 2 m/2 - e - n - onto 12 - a Minuta almunda anda algunan
5. KONG, Sam Satoru					
6. MORIKAWA, Dee		······································			
7. OHNO, Takashi		websel websele fitting and a			
8. McDERMOTT, Bob	in a sum tallande en el terro and i terro i sum da al colle etter el	Franski konstitution (* 1966), se statution (* 1977), se	in and a second sec	nin en de la collecte de la collecte de la collecte de la collection de la collection de la collection de la co	
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TOTAL (8	3)	6			2
The recommendation is:       Image: Adopted figure acronym(s)       Image: Not Adopted figure acronym(s)         Vice Chair's or designee's signature:       Image: Adopted figure acronym(s)       Image: Adopted figure acronym(s)					
Distribution: Original (White) – Committee Duplicate Yellow – Chief Clerk's Office Duplicate (Pink) – HMSO					