

S.B. NO. 1354

JAN 25 2023

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) requires the department of Hawaiian home lands,
5 prior to any proposed project relating to lands under its
6 jurisdiction, to consult with the department of land and natural
7 resources regarding the effect of the project upon historic
8 property or a burial site. The purpose of this Act is to allow
9 the department of Hawaiian home lands to assume review of the
10 effect of any proposed project on historic properties or burial
11 sites for lands under its jurisdiction.

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

14 "(b) ~~[The]~~ Notwithstanding subsection (a), the department
15 of Hawaiian home lands ~~[, prior to]~~ may assume review of any
16 proposed project relating to lands under its jurisdiction ~~[,~~
17 ~~shall consult with the department regarding the effect of the~~
18 ~~project upon historic property or a burial site.]~~ pursuant to

1 this section, and pursuant to any administrative rule adopted
2 thereunder; provided that the department of Hawaiian home lands
3 shall:

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

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

15 The department shall retain authority for review under this
16 section for projects affecting properties listed or nominated
17 for inclusion in the Hawaii register of historic places or the
18 national register of historic places."

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: *M. N. W.*

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BY REQUEST

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Report Title:

Historic Preservation; Department of Hawaiian Home Lands;
Project Reviews of Proposed State Projects

Description:

Allows the Department of Hawaiian Home Lands to assume historic preservation review of the effect 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.

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

SB. NO. 1354

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION REVIEWS.

PURPOSE: To allow the Department of Hawaiian Home Lands to assume review of the effect 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.

MEANS: Amend section 6E-8(b), Hawaii Revised Statutes.

JUSTIFICATION: Instead of requiring the Department of Hawaiian Home Lands to consult with the Department of Land and Natural Resources regarding the effect of a project upon historic properties or burial sites, this bill would streamline the process by allowing the Department of Hawaiian Home Lands to assume this review, which would allow for the ability to expedite the construction of proposed projects.

Impact on the public: This bill advances the interest of beneficiaries of the Hawaiian Homes Commission Act 1920, as amended, by streamlining the review process for any proposed project on Hawaiian Home Lands.

Impact on the department and other agencies: The Department of Hawaiian Home Lands would assume this function for lands under its jurisdiction freeing up those resources for the Department of Land and Natural Resources to service other agencies.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM

DESIGNATION:

HHL 625.

OTHER AFFECTED

AGENCIES:

Department of Land and Natural Resources.

EFFECTIVE DATE:

Upon approval.