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# 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 at least forty-five days before the date on  
18 which the department of Hawaiian home lands will  
19 assume responsibility for project review under this  
20 section:



1           (A) That it has employed a qualified preservation  
2           officer;

3           (B) A description of the procedures that will be  
4           employed to ensure that all of the documentation  
5           described in paragraph (2) will be provided to  
6           the department; and

7           (C) The date on which the department of Hawaiian home  
8           lands will assume responsibility for project  
9           review under this section; provided further that  
10           the date shall also be made publicly available  
11           through posting on the department of Hawaiian  
12           home lands' website.

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

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

20           SECTION 4. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



**1** SECTION 5. This Act shall take effect on July 1, 2050.



**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. Takes effect 7/1/2050. (SD1)

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

