

---

# 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, before 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 part is to allow the department of  
10 Hawaiian home lands to review the effect of any proposed project  
11 on historic properties or burial sites for lands under its  
12 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 review the effect 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[-], subject to  
3 this chapter and any administrative rules adopted under this  
4 chapter; provided that the department of Hawaiian home lands  
5 shall:

6       (1) Designate the review to a Hawaiian home lands  
7       preservation officer who has the professional  
8       qualifications for archaeologists, architectural  
9       historians, ethnographers, historians, and physical  
10       anthropologists and who has received a written  
11       delegation of authority to perform the review from the  
12       state historic preservation officer;

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

20       (3) Notify the department that the department of Hawaiian  
21       home lands will be reviewing the effect when



1           initiating review and provide the department with a  
2           copy of the written concurrence or nonconcurrence at  
3           the end of the review; and

4       (4) Consult with the appropriate island burial council on  
5           any projects impacting a burial site or if a burial  
6           site is advertently discovered pursuant to section 6E-  
7           43 or 6E-43.6, or both, as appropriate.

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

12       SECTION 3. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14       SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

DHHL; Historic Preservation; Project Reviews

**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 under certain circumstances. Effective 7/1/3000. (HD2)

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

