
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(f), 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 Act 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 (f) to read as follows:

15 "(f) [The] Notwithstanding subsection (a), the department
16 of Hawaiian home lands~~[, before commencing]~~ may review the
17 effect of any proposed project relating to lands under its



1 jurisdiction[, ~~shall consult with the department regarding the~~
2 ~~effect of the project~~] upon historic property or a burial
3 site[-], subject to this chapter and any administrative rules
4 adopted under this chapter; provided that the department of
5 Hawaiian home lands 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. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$400,000 or so much
14 thereof as may be necessary for fiscal year 2026-2027 for the
15 establishment of the following positions:

- 16 (1) One full-time equivalent (1.0 FTE) historic
17 preservation specialist;
- 18 (2) One full-time equivalent (1.0 FTE) archaeologist who
19 meets the state professional qualifications for an
20 archaeologist pursuant to section 13-281-3, Hawaii
21 Administrative Rules, and the Secretary of the



1 Interior Professional Qualifications Standards
2 pursuant to section 112(a)(1)(A) of the National
3 Historic Preservation Act of 1966, P.L. 89-665;
4 (3) One full-time equivalent (1.0 FTE) architectural
5 historian who meets the state professional
6 qualifications for an architectural historian pursuant
7 to section 13-281-5, Hawaii Administrative Rules, and
8 the Secretary of the Interior Professional
9 Qualifications Standards pursuant to section
10 112(a)(1)(A) of the National Historic Preservation Act
11 of 1966, P.L. 89-665; and
12 (4) One full-time equivalent (1.0 FTE) cultural historian
13 who meets the state professional qualifications for a
14 historian pursuant to section 13-281-7, Hawaii
15 Administrative Rules, and the Secretary of the
16 Interior Professional Qualifications Standards
17 pursuant to section 112(a)(1)(A) of the National
18 Historic Preservation Act of 1966, P.L. 89-665.

19 The sum appropriated shall be expended by the department of
20 Hawaiian home lands for the purposes of this Act.



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on July 1, 2026;
4 provided that the amendments made to section 6E-8, Hawaii
5 Revised Statutes, by section 2 of this Act shall not be repealed
6 when that section is reenacted on June 30, 2030, pursuant to
7 section 7(2) of Act 306, Session Laws of Hawaii 2025.



Report Title:

DHHL; Historic Preservation; Project Reviews; Appropriation

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. Appropriates funds. Effective 7/1/2026. (SD1)

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

