
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 historic
2 preservation reviews play an important role in the protection
3 and management of the State's historic properties and burial
4 sites. The legislature further finds that under the current
5 process for historic preservation reviews, before the department
6 of Hawaiian home lands can commence any proposed project on
7 lands under its jurisdiction, it must first consult with the
8 department of land and natural resources regarding the effect of
9 the project on historic properties or burial sites.

10 The purpose of this Act is to:

11 (1) Allow the department of Hawaiian home lands to conduct
12 its own review of the effect of any proposed project
13 on lands under its jurisdiction on historic properties
14 or burial sites; and

15 (2) Appropriate funds.

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



1 "(f) ~~[The]~~ Notwithstanding subsection (a), the department
2 of Hawaiian home lands~~[, before commencing]~~ may, subject to the
3 requirements of this chapter and any administrative rule adopted
4 thereunder, review the effect of any proposed project relating
5 to lands under its jurisdiction~~[, shall consult with the~~
6 ~~department regarding the effect of the project]~~ upon historic
7 property or a burial site~~[-];~~ provided that in conducting its
8 review, the department of Hawaiian home lands shall:

9 (1) Either:

10 (A) Designate the review to a Hawaiian home lands
11 historic preservation specialist who has
12 professional competence and experience in the
13 field of historic preservation; has institutional
14 knowledge of the department of Hawaiian home
15 lands or the state historic preservation
16 division, or both; and who has received a written
17 delegation of authority to review the effect of
18 department of Hawaiian home lands projects on
19 historic property or a burial site from the state
20 historic preservation officer, for the purposes



- 1 of carrying out section 6E-43 or 6E-43.6, as
2 appropriate; or
- 3 (B) Hire or contract a fee-for-service consultant who
4 has professional competence and experience in the
5 field of historic preservation;
- 6 (2) Ensure that copies of all reports, maps, and
7 documents, including those reflecting the Hawaiian
8 home lands historic preservation specialist's or
9 consultant's comments, recommendations, and decisions,
10 are provided to the department to be incorporated into
11 the historic preservation digital document management
12 system and library;
- 13 (3) Notify the department that the department of Hawaiian
14 home lands will be reviewing the effect of the project
15 when initiating review and provide the department with
16 a copy of the written concurrence or nonconcurrence at
17 the end of the review; and
- 18 (4) Consult with the appropriate island burial council on
19 any projects impacting a previously identified burial
20 site or if a burial site is inadvertently discovered



1 pursuant to section 6E-43 or 6E-43.6, or both, as
2 appropriate.

3 The department shall retain authority for review under this
4 section for projects affecting properties listed or nominated
5 for inclusion in the Hawaii register of historic places or the
6 national register of historic places."

7 SECTION 3. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$400,000 or so much
9 thereof as may be necessary for fiscal year 2026-2027 for the
10 establishment of the following positions:

- 11 (1) One full-time equivalent (1.0 FTE) historic
12 preservation specialist;
- 13 (2) One full-time equivalent (1.0 FTE) archaeologist who
14 meets the state professional qualifications for an
15 archaeologist pursuant to section 13-281-3, Hawaii
16 Administrative Rules, and the Secretary of the
17 Interior Professional Qualifications Standards
18 pursuant to section 112(a)(1)(A) of the National
19 Historic Preservation Act of 1966, P.L. 89-665;
- 20 (3) One full-time equivalent (1.0 FTE) architectural
21 historian who meets the state professional

1 qualifications for an architectural historian pursuant
2 to section 13-281-5, Hawaii Administrative Rules, and
3 the Secretary of the Interior Professional
4 Qualifications Standards pursuant to section
5 112(a)(1)(A) of the National Historic Preservation Act
6 of 1966, P.L. 89-665; and

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

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

16 SECTION 4. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 5. This Act shall take effect on July 1, 3000;
19 provided that the amendments made to section 6E-8, Hawaii
20 Revised Statutes, by section 2 of this Act shall not be repealed



1 when that section is reenacted on June 30, 2030, pursuant to
2 section 7 of Act 306, Session Laws of Hawaii 2025.



Report Title:

DHHL; Historic Preservation Review; Appropriation

Description:

Permits the Department of Hawaiian Home Lands to conduct a review of the effect of a proposed project on lands under its jurisdiction on historical properties and burial sites, subject to certain requirements. Appropriates funds. 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.

