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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 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) Permit the department of Hawaiian home lands to  
12           conduct its own review of the effect of any proposed  
13           project on lands under its jurisdiction on historic  
14           properties 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:



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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 historical 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



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- 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 preservation officer's comments,  
9                   recommendations, and decisions, are provided to the  
10                  department to be incorporated into the historic  
11                  preservation digital document management system and  
12                  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 Historic  
19           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 Historic Preservation Act of 1966,  
6            P. L. 89-665; and  
7            (4) One full-time equivalent (1.0 FTE) cultural historian  
8            who meets the state professional qualifications for an  
9            architectural historian pursuant to section 13-281-7,  
10           Hawaii Administrative Rules, and the Secretary of the  
11           Interior Professional Qualifications Standards  
12           pursuant to section 112(a)(1)(A) of the Historic  
13           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 2, 2026;  
19           provided that the amendments made to section 6E-8, Hawaii  
20           Revised Statutes, by section 2 of this Act shall not be repealed



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1 when that section is reenacted on June 30, 2030, pursuant to  
2 section 7 of Act 306, Session Laws of Hawaii 2025.  
3

INTRODUCED BY: *JSL*



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**Report Title:**

Department of Hawaiian Home Lands; 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.

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

