

## ACT 161

H.B. NO. 2955

A Bill for an Act Relating to Archaeological Data.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 6E, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§6E- Archaeological data survey database.** (a) There is established a Hawaii archaeological data survey database designated as a program of the State of Hawaii Museum of Natural and Cultural History. The database shall be online and accessible to the public through the Internet. The information within the database may include information relating to the collections of the Bernice Pauahi Bishop Museum, publicly available materials, and materials from private entities or organizations. The database may include archaeological information such as reports, photographs, drawings, maps, and archived documents. The database may also include compilations of collections information from public and private repositories including:

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- (1) A description of the types and amounts of materials and associated documentation in each collection;
- (2) A listing of the owner or owners of all materials and associated documentation in each collection;
- (3) A general assessment of the condition of the components of each collection; and
- (4) Other relevant information pertaining to each collection.

The data survey database shall be developed and maintained by the State of Hawaii Museum of Natural and Cultural History, in consultation with the state historic preservation division and other appropriate state and federal agencies and private organizations.

(b) The archaeological data survey shall not include any information required to remain confidential under federal, state, or county laws, rules, or regulations.

(c) The State of Hawaii Museum of Natural and Cultural History, in consultation with the office of Hawaiian affairs and the state historic preservation division, may temporarily or permanently withhold from the database any information due to a valid threat of destruction or loss of the information, or if disclosure may frustrate the legitimate and necessary function of protecting a valuable archaeological site or artifact. The entities shall determine what information shall be withheld from the data survey; provided that prior consultation is sought with any affected state or federal governmental agencies, or private individuals or organizations.”

SECTION 2. New statutory material is underscored.<sup>1</sup>

SECTION 3. This Act shall take effect upon its approval.

(Approved June 10, 2008.)

### Note

1. Edited pursuant to HRS §23G-16.5.