

JAN 25 2006

S.B. NO. 3180

A BILL FOR AN ACT

RELATING TO THE COUNTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 7 of article XII of the Constitution of
2 the State of Hawaii provides, in part, that "the State reaffirms
3 and protects all rights, customarily and traditionally exercised
4 for subsistence, cultural and religious purposes" by native
5 Hawaiians. Section 7-1, Hawaii Revised Statutes, further
6 reserves the right of the people to take house-timber from lands
7 upon which they reside. Further, chapter 36 of the Maui county
8 code allows the use of indigenous Hawaiian architecture in the
9 design and construction of structures in the county of Maui.

10 The purpose of this Act is to allow the use of the
11 techniques, styles, and customs of indigenous Hawaiian
12 architecture to be employed in present day construction in the
13 State.

14 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended
15 by adding a new section to be appropriately designated and to
16 read as follows:

17 "§46- Indigenous Hawaiian architecture. (a) Each
18 county shall adopt ordinances allowing the exercise of



1 indigenous native Hawaiian architectural practices, styles,
 2 customs, techniques, and materials historically employed by
 3 native Hawaiians in their building codes, including but not
 4 limited to residential and other structures comprised of either
 5 rock wall or wood frame walls covered by thatches of different
 6 native grasses or other natural material for roofs.

7 (b) The application of indigenous Hawaiian architecture
 8 shall be permitted in all zoning districts."

9 SECTION 3. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

J. Kalani Eglish

Imaia G. Brown
Y. Williams
Ronner
Carol Johnson
Bernice S. Koh

Gay L. Hoan

Norman Sakamoto

A.S. Titi

Rosely H. Baker

Suzanne Chun Oakland

Will Eyo

Clarence K. Fishbein



Report Title:

Counties; Building Code; Indigenous Hawaiian Architecture

Description:

Requires counties to adopt ordinances to allow buildings designed using practices, styles, customs, and materials from indigenous Hawaiian architecture.

