
A BILL FOR AN ACT

RELATING TO THE STATE HISTORIC PRESERVATION OFFICER.

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

1 SECTION 1. The legislature finds that the state historic
2 preservation officer is the administrator of the state historic
3 preservation program. The state historic preservation officer's
4 duties include reviewing nominations for the National Register
5 of Historic Places and maintaining data on historic places in
6 Hawaii that have not yet been nominated for the National
7 Register of Historic Places. The state historic preservation
8 officer also serves as the State's consultant to federal
9 agencies during review regarding the federal Advisory Council on
10 Historic Preservation's regulations regarding the protection of
11 historic places. Federal agencies also consult with the
12 appropriate state historic preservation officer during their
13 identification of historic properties and their assessment of
14 the effect of an undertaking on a historic property.

15 Due to the important role the state historic preservation
16 officer serves with regard to federal and state historic
17 preservation matters, the legislature in 1976 required the



1 Hawaii state historic preservation officer to be appointed on
 2 the basis of professional competence and experience in the field
 3 of historic preservation. The legislature finds that past and
 4 present governors of the State of Hawaii have not appointed
 5 Hawaii state historic preservation officers based on these
 6 broadly worded qualifications and that basing this appointment
 7 on nationally accepted and applied professional standards would
 8 bring greater accountability and consistency to the appointment
 9 of the Hawaii state historic preservation officer.

10 The purpose of this Act is to require that any person who
 11 is appointed by the governor as a state historic preservation
 12 officer, meets the required standards established by the United
 13 States Secretary of the Interior.

14 SECTION 2. Section 6E-5, Hawaii Revised Statutes, is
 15 amended to read as follows:

16 "[+]§6E-5[+] State historic preservation officer. (a)

17 The governor shall appoint a state historic preservation
 18 officer, and may appoint the officer without regard to chapter
 19 76, who shall be responsible for the comprehensive historic
 20 preservation program and who shall be the state liaison officer
 21 for the conduct of relations with the federal government and the



1 respective states with regard to matters of historic
2 preservation.

3 **(b)** The state historic preservation officer shall ~~[be~~
4 ~~appointed on the basis of professional competence and experience~~
5 ~~in the field of historic preservation and]~~ :

6 (1) Be a qualified historic preservation professional in
7 architecture, architectural history, archaeology,
8 history, culture, or a closely related field, who
9 meets the standards established by the United States
10 Secretary of the Interior; and

11 (2) Have professional experience with relation to historic
12 preservation in Hawaii.

13 (c) The state historic preservation officer shall be
14 placed in the department for the purposes of the state program.

15 (d) Upon the appointment of a state historic preservation
16 officer by the governor, the governor shall immediately advise
17 the president of the senate and the speaker of the house of
18 representatives of the identity of the person appointed and the
19 person's qualifications to serve in that position."

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

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



Report Title:

State Historic Preservation Officer; Qualifications

Description:

Specifies the required qualifications for a state historic preservation officer and adds requirement that notice of the appointment of a state historic preservation officer be given to the legislature. (SD1)

