

Honolulu, Hawaii

Feb 12, 2010

RE: H.B. No. 2480

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committees on Hawaiian Affairs and Water, Land, & Ocean Resources, to which was referred H.B. No. 2480 entitled:

"A BILL FOR AN ACT RELATING TO HISTORIC PLACES,"

beg leave to report as follows:

The purpose of this bill is to strengthen laws protecting archaeological sites and features of historic significance by:

- (1) Providing for the examination of any inadvertent destruction of an archaeological site or feature by persons with knowledge of Hawaiian culture;
- (2) Requiring the Department of Land and Natural Resources (DLNR) State Historic Preservation Division to submit a report to the Board of Land and Natural Resources on the historic significance and current state of the site, upon inadvertent destruction;
- (3) Giving oral history precedence when determining the historic significance of an archaeological site or feature unless otherwise demonstrated by scientific evidence; and
- (4) Making the willful alteration or destruction of an archaeological site or feature listed on the state or national register of historic places by a person who has



actual knowledge of its historic status, a civil and administrative violation.

The Historic Hawaii Foundation, Kanaka Council Moku O Keawe, and numerous concerned individuals testified in support of this bill. DLNR opposed this measure. The Office of Hawaiian Affairs (OHA) and Society for Hawaiian Archaeology provided comments.

Your Committees have amended this bill by:

- (1) Changing the definition of "archaeological site" or "archaeological feature" to an illustration of what may be included as an archaeological site or feature;
- (2) Including a representative of OHA as an example of a person that may be called upon to examine an inadvertent destruction of an archaeological site or feature;
- (3) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Water, Land, & Ocean Resources that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2480, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2480, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Hawaiian Affairs
and Water, Land, & Ocean
Resources,



KEN ITO, Chair



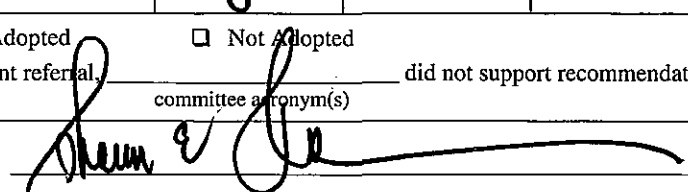
MELE CARROLL, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HCR 376-10

Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.: HB 2480	Committee Referral: HAW/WLO, FIN	Date: 2/3/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)	✓			
2. HAR, Sharon E. (VC)	✓			
3. CABANILLA, Rida				✓
4. CHANG, Jerry L.	✓			
5. CHONG, Pono				✓
6. COFFMAN, Denny	✓			
7. HERKES, Robert N.	✓			
8. LEE, Chris				✓
9. LUKE, Sylvia	✓			
10. MORITA, Hermina M.				✓
11. SAGUM, Roland D., III	✓			
12. CHING, Corinne W.L.	✓			
13. THIELEN, Cynthia				✓
TOTAL (13)	8			5
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				