

JAN 21 2011

A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

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

1 SECTION 1. Section 6E-8, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) Before any agency or officer of the State or its
4 political subdivisions commences any project [~~which may affect~~
5 ~~historic property, aviation artifact, or a burial site~~], the
6 agency or officer shall advise the department and allow the
7 department an opportunity for review of the effect of the
8 proposed project on historic properties, aviation artifacts, or
9 burial sites, consistent with section 6E-43, especially those
10 listed on the Hawaii register of historic places. The proposed
11 project shall not be commenced, or in the event it has already
12 begun, continued, until the department shall have given its
13 written concurrence.

14 The department is to provide written concurrence or non-
15 concurrence within ninety days after the filing of a request
16 with the department. The agency or officer seeking to proceed
17 with the project, or any person, may appeal the department's
18 concurrence or non-concurrence to the Hawaii historic places



1 review board. An agency, officer, or other person who is
2 dissatisfied with the decision of the review board may apply to
3 the governor, who may request the Hawaii advisory council on
4 historic preservation to report or who may take action as the
5 governor deems best in overruling or sustaining the department."

6 SECTION 2. Section 6E-42, Hawaii Revised Statutes, is
7 amended by amending subsection (a) to read as follows:

8 "(a) Before any agency or officer of the State or its
9 political subdivisions approves any project involving a permit,
10 license, certificate, land use change, subdivision, or other
11 entitlement for use, [~~which may affect historic property,
12 aviation artifacts, or a burial site,~~] the agency or office
13 shall advise the department and prior to any approval allow the
14 department an opportunity for review and comment on the effect
15 of the proposed project on historic properties, aviation
16 artifacts, or burial sites, consistent with section 6E-43,
17 including those listed in the Hawaii register of historic
18 places."

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken.



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

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INTRODUCED BY:

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Report Title:

Historic Preservation

Description:

Requires the department of land and natural resources to review all proposed projects to determine effects on historic properties, aviation artifacts, or burial sites.

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

