

STAND. COM. REP. NO.

3004

Honolulu, Hawaii

MAR 23 2012

RE: H.B. No. 1972
H.D. 2
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Economic Development and Technology and Water, Land, and Housing, to which was referred H.B. No. 1972, H.D. 2, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to clarify that the fees charged by the state historic preservation division program are proportional to the nature and complexity of the projects or services provided, and adjusted from time to time to ensure that the proceeds, together with all other fines, income, and penalties collected under this chapter, do not surpass the annual operating costs of the comprehensive historic preservation program.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and Historic Hawaii Foundation. Your Committees received comments on this measure from the Legislative Committee of the Society for Hawaiian Archaeology.

Your Committees find that the Department of Land and Natural Resources' state historic preservation division program charges various fees when carrying out its regulatory reviews pursuant to sections 6E-7, 6E-8, 6E-42, and 6E-43.5, Hawaii Revised Statutes. The fees imposed for reviewing documents subject to these sections of the statute are set by Hawaii Administrative Rules 13-275 and 13-284, which were subject to public hearings. Your Committees



have been informed that these public hearings resulted in many comments that significantly improved prior drafts of these rules, and that any future rule changes should also be subject to public comment.

Your Committees also note that a recommendation has been made to retain the current language that the fees partially defray the costs of administering specific programs in order to more accurately portray the role that fees play in the state historic preservation division program's overall budget, and to include language that restricts the expenditure of monies raised from review fees to support for the staff which do the reviews. Your Committees urge the Department of Land and Natural Resources to continue to work with interested stakeholders to ensure that the language is sufficiently clear in meeting the intent of this measure.

Your Committees have also been in discussions with the state historic preservation division program regarding the program's role in ensuring appropriate signage for historic and cultural properties and have amended this measure to incorporate recommendations developed through these discussions.

Your Committees have amended this measure accordingly, by:


- (1) Authorizing the Hawaii Historic Places Review Board to develop policies on signage in historic districts; and
- (2) Inserting an effective date of upon its approval.

As affirmed by the records of votes of the members of your Committees on Economic Development and Technology and Water, Land, and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1972, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1972, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Economic
Development and Technology and
Water, Land, and Housing,

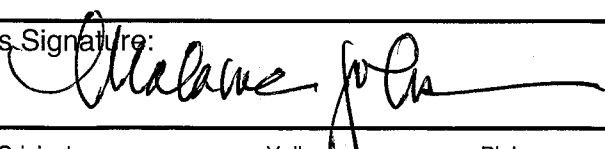

DONOVAN M. DELA CRUZ, Chair


CAROL FUKUNAGA, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Water, Land and Housing
WLH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB1972 HD2	EDT WLH, WAM	3-20-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol				✓
RYAN, Pohai	✓			
SHIMABUKURO, Maile	✓			
TOKUDA, Jill N.				✓
SLOM, Sam				✓
TOTAL	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes