
A BILL FOR AN ACT

RELATING TO THE REVIEW OF HISTORIC PRESERVATION PROJECTS.

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. Where the proposed project consists of
14 corridors or large land areas, where access to properties is
15 restricted, or where circumstances dictate that construction be
16 done in stages, the department may give its written concurrence
17 based on a phased review of the project.



1 The department is to provide written concurrence or non-
2 concurrence within ninety days after the filing of a request
3 with the department. The agency or officer seeking to proceed
4 with the project, or any person, may appeal the department's
5 concurrence or non-concurrence to the Hawaii historic places
6 review board. An agency, officer, or other person who is
7 dissatisfied with the decision of the review board may apply to
8 the governor, [~~who may request the Hawaii advisory council on~~
9 ~~historic preservation to report or~~] who may take action as the
10 governor deems best in overruling or sustaining the department."

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

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



1 places. Where the proposed project consists of corridors or
2 large land areas, where access to properties is restricted, or
3 where circumstances dictate that construction be done in stages,
4 the department's review and comment may be based on a phased
5 review of the project."

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on January 1, 2050.

9



Report Title:

Historic Preservation Project Reviews

Description:

Authorizes the phased review of certain projects by the Department of Land and Natural Resources' State Historic Preservation Division to ensure consistency between state and federal law. Effective January 1, 2050. Deletes language that provided the governor with the option to request the Hawaii advisory council on historic preservation to report an action to overrule or sustain a department when an agency, officer, or other person is dissatisfied with a decision of the Hawaii historic places review board. (SD1)

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

