

MAR 11 2013

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# SENATE CONCURRENT RESOLUTION

URGING FEDERAL, STATE, AND COUNTY AGENCIES TO RECOGNIZE AND IMPLEMENT NATIVE HAWAIIAN CULTURAL MONITORING PROGRAMS AND URGING THE CREATION OF A LEGISLATIVE COMMITTEE TO PROPOSE AMENDMENTS TO CHAPTER 6E, HAWAII REVISED STATUTES, TO INCLUDE CRITERIA AND GUIDELINES REGARDING NATIVE HAWAIIAN CULTURAL MONITORING.

1           WHEREAS, Native Hawaiian cultural monitoring is not  
2 required by any laws relating to pre-construction archaeological  
3 surveys and investigations in Hawaii; and  
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5           WHEREAS, Native Hawaiian cultural monitoring is not legally  
6 required on excavation, demolition, or construction projects in  
7 historic and culturally sensitive areas, as identified by the  
8 Office of Hawaiian Affairs, the State Historic Preservation  
9 Division, or Native Hawaiian organizations, descendants, or  
10 cultural practitioners; and  
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12           WHEREAS, Native Hawaiian cultural monitoring of  
13 construction projects involving excavation sometimes comes about  
14 as a result of mitigation agreements, lawsuit settlements, or  
15 voluntary agreements between Native Hawaiian organizations and  
16 developers, owners, or contractors pursuant to section 106 of  
17 the National Historic Preservation Act of 1966; and  
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19           WHEREAS, the use of Native Hawaiian cultural monitoring in  
20 areas identified to be culturally significant is a necessary  
21 activity ensuring protection, preservation, compliance, respect,  
22 and culturally appropriate treatment of historic and culturally  
23 significant Native Hawaiian resources, artifacts, and iwi  
24 kupuna; and  
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26           WHEREAS, the use of Native Hawaiian cultural monitoring  
27 over the last 25 years has increased and has been successfully  
28 integrated into projects involving the United States Department



1 of Defense, federal and state Departments of Transportation,  
2 counties, and private industry; now, therefore,  
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4 BE IT RESOLVED by the Senate of the Twenty-seventh  
5 Legislature of the State of Hawaii, Regular Session of 2013, the  
6 House of Representatives concurring, that this body recognizes  
7 the importance and necessity of Native Hawaiian cultural  
8 monitoring to respect, honor, protect, preserve, and manage  
9 Native Hawaiian historic and cultural resources including iwi  
10 kupuna; and  
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12 BE IT FURTHER RESOLVED that this body recognizes the  
13 increasing implementation and integration of Native Hawaiian  
14 cultural monitoring in public and private development projects;  
15 and  
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17 BE IT FURTHER RESOLVED that Native Hawaiian cultural  
18 monitoring be recognized as an essential activity, along with  
19 required archaeological inventory surveys, for construction  
20 projects in culturally significant areas; and  
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22 BE IT FURTHER RESOLVED that this body urges federal, state,  
23 and county agencies to develop and implement Native Hawaiian  
24 cultural monitoring programs for all projects in historically  
25 sensitive areas in collaboration with developers, contractors,  
26 owners, and Native Hawaiian organizations, descendants, and  
27 communities; and  
28

29 BE IT FURTHER RESOLVED that a committee composed of state  
30 Senate and House of Representatives members be formed to create  
31 a proposed bill for the Regular Session of 2014 to amend chapter  
32 6E, Hawaii Revised Statutes, to include, criteria and guidelines  
33 pertinent to Native Hawaiian cultural monitoring; and  
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35 BE IT FURTHER RESOLVED that certified copies of this  
36 Concurrent Resolution be transmitted to the Chairperson of the  
37 United States Advisory Council on Historic Preservation,  
38 Governor, Chairperson of the Board of Land and Natural  
39 Resources, Chief Executive Officer of the Office of Hawaiian  
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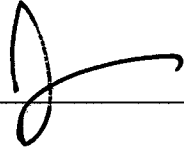


# S.C.R. NO. 88

1 Affairs, President of the Senate, and Speaker of the House of  
2 Representatives.

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OFFERED BY:

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