

Honolulu, Hawaii

March 22, 2013

RE: S.B. No. 1171  
S.D. 1  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committees on Transportation and Water & Land, to which was referred S.B. No. 1171, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE REVIEW OF HISTORIC PRESERVATION PROJECTS,"

beg leave to report as follows:

The purpose of this measure is to protect Hawaii's historical and cultural heritage while providing flexibility in review of construction projects by:

- (1) Authorizing the phased review of projects by the Department of Land and Natural Resources' State Historic Preservation Division to ensure consistency between state and federal law; and
- (2) Deleting language that provided the Governor with the option to request the Hawaii Advisory Council on Historical 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.

The Department of Land and Natural Resources; Department of Transportation; Department of Accounting and General Services; Department of Business, Economic Development, and Tourism; Department of Agriculture; Department of Education; Department of



Hawaiian Home Lands; Office of Planning; County of Maui; County of Hawai'i Planning Department; Building Industry Association of Hawaii; Hawai'i Construction Alliance; The Chamber of Commerce of Hawaii; The Pacific Resource Partnership; West Maui Taxpayers Association; Hawaii Laborers Employers Cooperation and Education Trust; General Contractors Association of Hawaii; Hawaii Regional Council of Carpenters; Masons Union Local 1 and 630; Universal Construction, Inc.; Complete Construction Services Corp.; Kapolei Chamber of Commerce; and two concerned individuals supported this measure. The Office of Hawaiian Affairs; Historic Hawai'i Foundation; Hawaii's Thousand Friends; Society for Hawaiian Archaeology; International Archaeological Research Institute, Inc.; Kaimipono Consulting Services LLC; Na Kupuna Moku O Keawe; Sierra Club, Hawaii Chapter; League of Women Voters of Honolulu; Native Hawaiian Legal Corporation; and numerous concerned individuals opposed this measure.


Your Committees have amended this measure by:

- (1) Requiring a programmatic agreement to be in place between the Department of Land and Natural Resources and the project applicant that identifies each phase and the estimated timelines for each phase where there is a phased review of the project;
- (2) Inserting a definition for "programmatic agreement" under Chapter 6E, Hawaii Revised Statutes, relating to historic preservation;
- (3) Requiring the Department of Land and Natural Resources to adopt administrative rules regarding the phased review of proposed projects; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Transportation and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1171, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1171, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

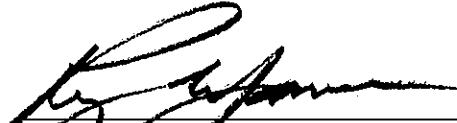


Respectfully submitted on  
behalf of the members of the  
Committees on Transportation  
and Water & Land,



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CINDY EVANS, Chair



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RYAN I. YAMANE, Chair





