
A BILL FOR AN ACT

RELATING TO A FEE SCHEDULE FOR THE HISTORIC PRESERVATION PROGRAM.

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

1 SECTION 1. Section 6E-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§6E-3 Historic preservation program.** There is
4 established within the department a division to administer a
5 comprehensive historic preservation program, which shall include
6 but not be limited to the following:

- 7 (1) Development of an ongoing program of historical,
8 architectural, and archaeological research and
9 development, including surveys, excavations,
10 scientific recording, interpretation, signage, and
11 publications on the State's historical and cultural
12 resources;
- 13 (2) Acquisition of historic or cultural properties, real
14 or personal, in fee or in any lesser interest, by
15 gift, purchase, condemnation, devise, bequest, land
16 exchange, or other means; preservation, restoration,



1 administration, or transference of the property; and
2 the charging of reasonable admissions to that
3 property;

4 (3) Development of a statewide survey and inventory to
5 identify and document historic properties, aviation
6 artifacts, and burial sites, including all those owned
7 by the State and the counties;

8 (4) Preparation of information for the Hawaii register of
9 historic places and listing on the national register
10 of historic places;

11 (5) Preparation, review, and revisions of a state historic
12 preservation plan, including budget requirements and
13 land use recommendations;

14 (6) Application for and receipt of gifts, grants,
15 technical assistance, and other funding from public
16 and private sources for the purposes of this chapter;

17 (7) Provision of technical and financial assistance to the
18 counties and public and private agencies involved in
19 historic preservation activities;



- 1 (8) Coordination of activities of the counties in
2 accordance with the state plan for historic
3 preservation;
- 4 (9) Stimulation of public interest in historic
5 preservation, including the development and
6 implementation of interpretive programs for historic
7 properties listed on or eligible for the Hawaii
8 register of historic places;
- 9 (10) Coordination of the evaluation and management of
10 burial sites as provided in section 6E-43;
- 11 (11) Acquisition of burial sites in fee or in any lesser
12 interest, by gift, purchase, condemnation, devise,
13 bequest, land exchange, or other means, to be held in
14 trust;
- 15 (12) Submittal of an annual report to the governor and
16 legislature detailing the accomplishments of the year,
17 recommendations for changes in the state plan or
18 future programs relating to historic preservation, and
19 an accounting of all income, expenditures, and the
20 fund balance of the Hawaii historic preservation
21 special fund;



1 (13) Regulation of archaeological activities throughout the
2 State;

3 (14) Employment of sufficient professional and technical
4 staff for the purposes of this chapter which shall be
5 in accordance with chapter 76;

6 (15) The charging of fees to be determined by the
7 department that are proportional to the nature and
8 complexity of the projects or services provided, and
9 adjusted from time to time to ensure that the
10 proceeds, together with all other fines, income, and
11 penalties collected under this chapter, do not surpass
12 the annual operating costs of the comprehensive
13 historic preservation program; provided that:

14 (A) Fees shall be charged in accordance with a
15 schedule adopted by the board of land and natural
16 resources;

17 (B) Any fee schedule proposed for adoption shall be
18 posted on the department's website at least
19 forty-five days prior to the meeting of the board
20 of land and natural resources at which the
21 adoption will be considered;



1 (C) The board of land and natural resources shall
2 consider and adopt a fee schedule at a regular
3 meeting after taking public testimony; and

4 (D) Setting of the fees shall not be subject to
5 chapter 91;

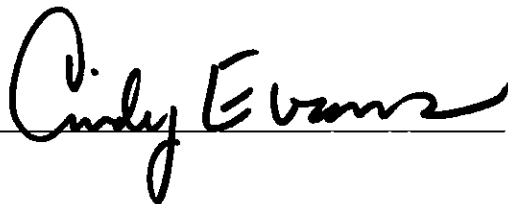
6 (16) Adoption of rules in accordance with chapter 91,
7 necessary to carry out the purposes of this chapter;
8 and

9 (17) Development and adoption, in consultation with the
10 office of Hawaiian affairs native historic
11 preservation council, of rules governing permits for
12 access by native Hawaiians and Hawaiians to cultural,
13 historic, and pre-contact sites and monuments."

14 SECTION 2. New statutory material is underscored.

15 SECTION 3. This Act shall take effect upon its approval.

16 INTRODUCED BY:



JAN 23 2015



H.B. NO. 516

Report Title:

Historic Preservation; Fee Schedule

Description:

Authorizes the BLNR to adopt a fee schedule for the historic preservation program at a public meeting. Exempts the adoption of the fee schedule from the Administrative Procedure Act.

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

