

STAND. COM. REP. NO.

157

Honolulu, Hawaii

February 12, 2015

RE: H.B. No. 1409
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1409 entitled:

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

begs leave to report as follows:

The purpose of this measure is to clarify state law regarding programmatic agreements under the state historic preservation law by amending the definition of "programmatic agreement" to ensure all programmatic agreements are consistent with state or federal laws.

The Building Industry Association-Hawaii and The Howard Hughes Corporation testified in support of this measure. The Office of Hawaiian Affairs testified in opposition of this measure. The Department of Land and Natural Resources offered comments.

Your Committee has amended this measure by:

- (1) Requiring programmatic agreements to be consistent with both state and federal law; and
- (2) Changing its effective date to July 1, 2115, to encourage further discussion.

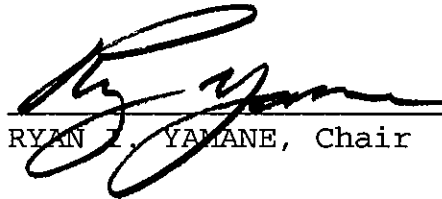
HB1409 HD1 HSCR WAL HMS 2015-1710



Should the Committee on Judiciary deliberate this measure further, your Committee respectfully requests that it explore concerns raised in Committee regarding potential non-housekeeping effects that the amendment requiring a programmatic agreement to be compliant with both state and federal law may have on state programmatic agreement compliance with state law, federal law, or both.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1409, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1409, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,



RYAN I. YAMANE, Chair



