STAND. COM. REP. NO. 282-22

Honolulu, Hawaii , 2022

FEB 15

H.B. No. 2135 RE:

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 2135 entitled:

"A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION REVIEWS,"

begs leave to report as follows:

The purpose of this measure is to allow the Department of Hawaiian Home Lands to directly assume review of proposed projects relating to lands under its jurisdiction, rather than consulting the Department of Land and Natural Resources for the effect of those projects upon historic properties or burial sites, under certain conditions.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Hawaiian Home Lands, and one individual. Your Committee received testimony in opposition to this measure from the Historic Hawai'i Foundation and Society for Hawaiian Archaeology.

Your Committee finds that this measure would streamline the process of reviewing certain proposed projects by allowing the Department of Hawaiian Home Lands to assume such responsibility, instead of requiring it to consult with the Department of Land and Natural Resources.

Your Committee has amended this measure by:

- (1) Adding as a condition for the allowance under this measure, a requirement that the Department of Hawaiian Home Lands provide to the Department of Land and Natural Resources:
 - (A) Written notice that the Department of Hawaiian Home Lands has employed a qualified preservation officer;
 - (B) A description of the procedures that the Department of Hawaiian Home Lands will employ to ensure that all required documentation is provided; and
 - (C) Written notice of the date on which the Department of Hawaiian Home Lands will assume responsibility for project review and post this information on the Department of Hawaiian Home Lands' website; provided that the written notice is provided at least forty-five days prior to the date on which it assumes such responsibility;
- (2) Reserving to the Department of Land and Natural Resources the authority to review projects affecting properties located in a designated historic district;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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. 2135, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2135, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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

DAVID A. TARNAS, Chair

State of Hawaii House of Representatives

House of Representatives
The Thirty-first Legislature

HSCR 282-22

Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB 2135	Committee Referral:	Date:	18/2022	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)			· · · · · · · · · · · · · · · · · · ·	
2. BRANCO, Patrick Pihana (VC)				
2 CANADEN Comm				
3. GANADEN, Sonny				
4. KOBAYASHI, Bertrand				
5. KONG, Sam Satoru			1884 a. 1841 kw. Landania a. 2011 a. 184	
6. MORIKAWA, Dee				
7. OHNO, Takashi		273.47		
8. McDERMOTT, Bob				
TOTAL (8)	6			2
The recommendation is: Adopted If joint referral, committee acronym(s) Not Adopted did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				