

STAND. COM. REP. NO. 1740-22

Honolulu, Hawaii

MAR 24 , 2022

RE: S.B. No. 1411
S.D. 2
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 Judiciary & Hawaiian Affairs, to which was referred S.B. No. 1411, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Define "pre-contact historic property";
- (2) Clarify that the Historic Preservation Program includes providing consultation to counties and public and private agencies involved in historic preservation and the development, publication, and distribution of materials about protections for burials, historic sites, and archaeological resources;
- (3) Amend the composition and duties of the Hawaii Historic Places Review Board; and
- (4) Increase civil and administrative fines for certain violations of historic and preservation requirements and make landowners or developers responsible for projects where violations are found liable for costs associated with mitigation or preservation measures.



Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii State Aha Moku, and one individual. Your Committee received testimony in opposition to this measure from the Society for Hawaiian Archaeology. Your Committee received comments on this measure from the Department of Land and Natural Resources and Historic Hawai'i Foundation.

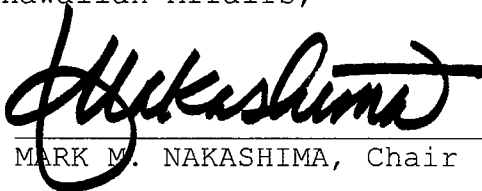
Your Committee finds that Hawaii's historic preservation laws were enacted to ensure that invaluable historic sites and archaeological resources are given appropriate consideration when they may be impacted by development activities. The existing penalties for violations of the historic preservation laws are far less than the costs of complying with historic preservation review and protecting potential historic property, such as iwi and burial sites. This measure serves to increase compliance with historic property laws and act as a deterrent to violations.

Your Committee has amended this measure by:

- (1) Changing a reference from "pre-contact sites and monuments" to "pre-contact historic property"; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1411, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1411, S.D. 2, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,


MARK M. NAKASHIMA, Chair



