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# A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION REVIEWS.

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

1           SECTION 1. The legislature finds that section 6E-8, Hawaii  
2 Revised Statutes, plays an important role in the protection and  
3 management of the State's historic properties and burial sites.  
4 Section 6E-8(b) requires the department of Hawaiian home lands,  
5 prior to any proposed project relating to lands under its  
6 jurisdiction, to consult with the department of land and natural  
7 resources regarding the effect of the project upon historic  
8 property or a burial site. The purpose of this Act is to allow  
9 the department of Hawaiian home lands to assume review of the  
10 effect of any proposed project on historic properties or burial  
11 sites for lands under its jurisdiction.

12           SECTION 2. Section 6E-8, Hawaii Revised Statutes, is  
13 amended by amending subsection (b) to read as follows:

14           "(b) [The] Notwithstanding subsection (a), the department  
15 of Hawaiian home lands [, prior to] may assume review of any  
16 proposed project relating to lands under its jurisdiction [,  
17 ~~shall consult with the department regarding the effect of the~~



1 ~~project upon historic property or a burial site.] pursuant to~~  
2 this section, and pursuant to any administrative rule adopted  
3 thereunder; provided that the department of Hawaiian home lands  
4 shall:

5 (1) Designate the review to a Hawaiian home lands  
6 preservation officer who has professional competence  
7 and experience in the field of historic preservation  
8 and has adequate resources to perform the historic  
9 review;

10 (2) Ensure that copies of all reports, maps, and  
11 documents, including those reflecting the Hawaiian  
12 home lands preservation official's comments,  
13 recommendations, and decisions, are provided to the  
14 department to be incorporated into the historic  
15 preservation digital document management system and  
16 library;

17 (3) Provide the department with written notice of the  
18 following:

19 (A) That it has employed a qualified preservation  
20 officer;



1           (B) A description of the procedures that will be  
2           employed to ensure that all of the documentation  
3           described in paragraph (2) will be provided to  
4           the department;

5           (4) The date on which the department of Hawaiian home  
6           lands will assume responsibility for project review  
7           under this section at least forty-five days prior to  
8           the date when the department of Hawaiian home lands  
9           shall assume those duties; provided that this  
10           information shall also be posted on the department of  
11           Hawaiian home lands' website; and

12           (5) Consult with the office of Hawaiian affairs when  
13           reviewing historic properties that are important to  
14           Native Hawaiians.

15           The department shall retain authority for review under this  
16           section for projects affecting properties listed or nominated  
17           for inclusion in the Hawaii register of historic places or the  
18           national register of historic places or located in a designated  
19           historic district."

20           SECTION 3. Statutory material to be repealed is bracketed  
21           and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Historic Preservation; Department of Hawaiian Home Lands;  
Project Reviews of Proposed State Projects

**Description:**

Allows the Department of Hawaiian Home Lands to assume historic preservation review of the effect of any proposed project for lands under its jurisdiction except for projects affecting properties listed or nominated for inclusion in the Hawaii register of historic places or the national register of historic places or located in a designated historic district. (SD1)

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

