

STAND. COM. REP. NO.

268

Honolulu, Hawaii

FEB 14 2023

RE: S.B. No. 68
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 68 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to amend the definition of "historic property" to require that the property meets the criteria for inclusion in the Hawaii Register of Historic Places.

Your Committee received testimony in support of this measure from the Office of the Governor, Department of Land and Natural Resources, Hawaii Association of REALTORS, and Historic Hawai'i Foundation. Your Committee received testimony in opposition to this measure from the Society for Hawaiian Archaeology, Sierra Club of Hawai'i, and two individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs and one individual.

Your Committee finds that what makes a historical building special is not necessarily its age, but its context. Your Committee further finds that when age alone is used as the measure of a property's historical value, what is ignored is the property's relationship to events and people, its architectural distinction, and other valuable historic, scientific, and cultural information. Therefore, this measure amends the definition of



"historic property" to require that the property be over fifty years old and also meet the criteria for inclusion in the Hawaii Register of Historic Places.

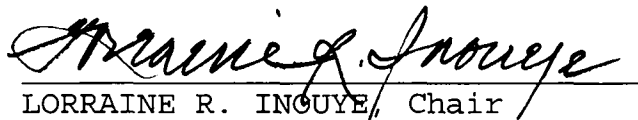
Your Committee has heard the testimony of the Department of Land and Natural Resources noting that there is strong feeling among some Native Hawaiians that the criteria for inclusion in the Hawaii Register of Historic Places does not apply to some of the places of most concern to them.

Therefore, your Committee has amended this measure by

- (1) Allowing property that does not meet the criteria for inclusion in the Hawaii Register of Historic Places to be considered "historical property" if it has important value to Native Hawaiians or other ethnic groups of the State due to associations with cultural practices once carried out, or still carried out, at the property or associations with traditional beliefs, events, or oral accounts that are important to history, traditional practices, and cultural identity;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 68, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 68, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.


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


LORRAINE R. INOUE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB68	Committee Referral: WTL, JDC/WAM	Date: 02/10/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley				✓
MCKELVEY, Angus L.K.	✓			
FEVELLA, Kurt	✓			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes