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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 review the effect of  
10 any proposed project on historic properties or burial sites for  
11 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 review the effect of any  
16 proposed project relating to lands under its jurisdiction ~~[,~~  
17 ~~shall consult with the department regarding the effect of the~~  
18 ~~project]~~ upon historic property or a burial site[-], subject to

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1 this chapter and to any administrative rule adopted thereunder;  
2 provided that the department of Hawaiian home lands shall:

3 (1) Designate the review to a Hawaiian home lands  
4 preservation officer who has professional competence  
5 and experience in the field of historic preservation  
6 and who has received a written delegation of authority  
7 to review the effect of department of Hawaiian home  
8 land projects on historic property or a burial site  
9 from the state historic preservation officer;

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; and

17 (3) Notify the department that the department of Hawaiian  
18 home lands will be reviewing the effect when  
19 initiating review and provide the department with a  
20 copy of the written concurrence or nonconcurrence at  
21 the end of the review.

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1 The department shall retain authority for review under this  
2 section for projects affecting properties listed or nominated  
3 for inclusion in the Hawaii register of historic places or the  
4 national register of historic places."

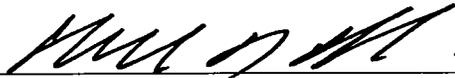
5 SECTION 3. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:



10

BY REQUEST

# S.B. NO. 1406

**Report Title:**

Historic Preservation; DHHL; Project Reviews

**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.

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

# SB. NO. 1406

## JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION REVIEWS.

PURPOSE: To allow the Department to review 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.

MEANS: Amend section 6E-8(b), Hawaii Revised Statutes.

JUSTIFICATION: Instead of requiring the Department to consult with the Department of Land and Natural Resources (DLNR) regarding the effect of a project upon historic properties or burial sites, this bill would streamline the process by allowing the Department to conduct this review, which would allow for the ability to expedite the construction of proposed projects.

Impact on the public: This bill advances the interest of beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, by streamlining the review process for any proposed project on Hawaiian home lands to ensure the timely review and development of proposed projects by the Department.

Impact on the department and other agencies: The DLNR would not be responsible for reviewing the effect of any proposed project for lands under the jurisdiction of the Department, except for projects affecting properties listed or nominated for inclusion in the Hawaii register of historic places or the national register of historic places. DLNR would be able to utilize resources and

staff to serve other state agencies seeking review of the effect of proposed projects.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: HHL 625.

OTHER AFFECTED  
AGENCIES: DLNR. Agencies that seek state review of the effect of proposed projects from DLNR.

EFFECTIVE DATE: Upon approval.