STAND. COM. REP. NO. [765]

Honolulu, Hawaii

, 2025

APR 02

S.B. No. 1263 RE:

S.D. 2

H.D. 3

Honorable Nadine K. Nakamura Speaker, House of Representatives Thirty-Third State Legislature Regular Session of 2025 State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 1263, S.D. 2, H.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) Authorize lead agencies, including county governments, to make determinations on the potential effects of a project;
- (2) Create a ninety-day limit, or thirty-calendar-day limit if no historic properties are affected, for the Department of Land and Natural Resources to concur or not concur with project effect determinations;
- (3) Exempt projects with written concurrence from further review unless there is a change to the project or additional historic properties, aviation artifacts, or burial sites are identified within the project area; and
- (4) Create a process for expediting the review of majorityresidential mixed-use transit-oriented development or residential transit-oriented development on certain

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parcels and rights-of-way within county-designated transit-oriented development zones that have a low risk of affecting historically significant resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Housing Finance and Development Corporation; Hawai'i Community Development Authority; Hawai'i Association of REALTORS; Oahu Metropolitan Planning Organization; Holomua Collaborative; Grassroot Institute of Hawaii; NAIOP Hawaii; and Hawai'i YIMBY. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that the State's ongoing housing crisis is resulting in an outmigration of local residents to the mainland. Accordingly, the State must implement policies and programs that allow for housing to be built in a manner and on a scale that is affordable and attainable for local working families, particularly in transit-oriented development districts.

Your Committee further finds that the State Historic Preservation Division's lengthy review process has been a bottleneck in the development process for affordable housing, which delays construction and ultimately results in increased costs. This measure streamlines the review of majorityresidential mixed-use transit-oriented development or residential transit-oriented development in certain areas, while also including safeguards that allow the State Historic Preservation Division to continue its crucial role in preserving and protecting the State's important historical and cultural property.

Your Committee has amended this measure by:

- (1) Clarifying that if the Department of Land and Natural Resources requires additional information or clarification regarding the physical, rather than project, scope of work, then the Department is required to notify the applicant and specify the information needed; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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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. 1263, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1263, S.D. 2, H.D. 3.

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

- Mis amas

DAVID A. TARNAS, Chair

State of Hawaii House of Representatives The Thirty-third Legislature



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: (B 1263 (D2 HD2)	Committee Referral: HUG, WAL, JHA	Date: 03/2	27/2025	
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)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	V			
A POEDOE MAL' (VC)				
2. POEPOE, Mahina (VC)				
3. BELATTI, Della Au				The state of the s
				1
4. COCHRAN, Elle				V
5. HASHEM, Mark J.				
o. Intelliginary.				
6. KAHALOA, Kirstin	V			
- PENDANGO A				
7. PERRUSO, Amy A.				
8. TAKAYAMA, Gregg				
9. TODD, Chris				
10. GARCIA, Diamond				
10. GARCIA, Diamond				
11. SHIMIZU, Garner M.				
TOTAL (11)	10	U	0	
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				