A BILL FOR AN ACT

RELATING TO THE STATE HISTORIC PRESERVATION OFFICER.

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

SECTION 1. The legislature finds that the state historic preservation officer is the administrator of the state historic preservation program. The state historic preservation officer's duties include reviewing nominations for the National Register of Historic Places and maintaining data on historic places in Hawaii that have not yet been nominated for the National Register of Historic Places. The state historic preservation officer also serves as the State's consultant to federal agencies during review regarding the federal Advisory Council on Historic Preservation's regulations regarding the protection of historic places. Federal agencies also consult with the appropriate state historic preservation officer during their identification of historic properties and their assessment of the effect of an undertaking on a historic property.

Due to the important role the state historic preservation officer serves with regard to federal and state historic preservation matters, the legislature in 1976 required the
Hawaii state historic preservation officer to be appointed on the basis of professional competence and experience in the field of historic preservation. The legislature finds that past and present governors of the State of Hawaii have not appointed Hawaii state historic preservation officers based on these broadly worded qualifications and that basing this appointment on nationally accepted and applied professional standards would bring greater accountability and consistency to the appointment of the Hawaii state historic preservation officer.

The purpose of this Act is to require that any person who is appointed by the governor as a state historic preservation officer, meets the required standards established by the United States Secretary of the Interior.

SECTION 2. Section 6E-5, Hawaii Revised Statutes, is amended to read as follows:

"[§6E-5(1)] State historic preservation officer. (a)
The governor shall appoint a state historic preservation officer, and may appoint the officer without regard to chapter 76, who shall be responsible for the comprehensive historic preservation program and who shall be the state liaison officer for the conduct of relations with the federal government and the
respective states with regard to matters of historic preservation.

(b) The state historic preservation officer shall be appointed on the basis of professional competence and experience in the field of historic preservation and:

(1) Be a qualified historic preservation professional in architecture, architectural history, archaeology, history, culture, or a closely related field, who meets the professional qualification standards established by the United States Secretary of the Interior; and

(2) Have professional experience with respect to historic preservation in Hawaii.

(c) The state historic preservation officer shall be placed in the department for the purposes of the state program.

(d) Upon the appointment of a state historic preservation officer by the governor, the governor shall immediately advise the president of the senate and the speaker of the house of representatives of the identity of the person appointed and the person's qualifications to serve in that position."

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

SECTION 4. This Act shall take effect upon its approval.
Report Title:
State Historic Preservation Officer; Qualifications

Description:
Specifies the required qualifications for a state historic preservation officer and adds requirement that notice of the appointment of a state historic preservation officer be given to the legislature. (CD1)