



GOV. MSG. NO. 1252

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

June 21, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

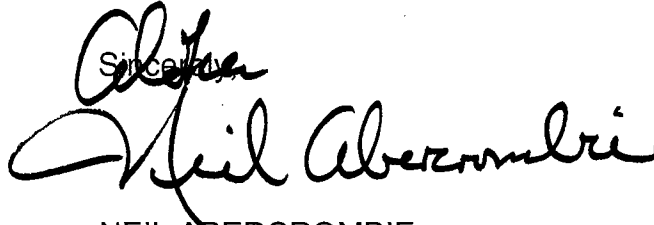
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on June 21, 2012, the following bill was signed into law:

HB1972 HD2 SD1 CD1

RELATING TO HISTORIC PRESERVATION.
Act 150 (12)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

Approved by the Governor.

on JUN 21 2012

HOUSE OF REPRESENTATIVES
TWENTY-SIXTH LEGISLATURE, 2012
STATE OF HAWAII

ORIGINAL

ACT 150

H.B. NO. 1972
H.D. 2
S.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

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

1 SECTION 1. Section 6E-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§6E-3 Historic preservation program. There is
4 established within the department a division to administer a
5 comprehensive historic preservation program, which shall include
6 but not be limited to the following:

7 (1) Development of an on-going program of historical,
8 architectural, and archaeological research and
9 development, including surveys, excavations,
10 scientific recording, interpretation, signage, and
11 publications on the State's historical and cultural
12 resources;

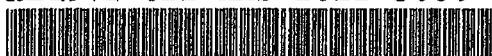
13 (2) Acquisition of historic or cultural properties, real
14 or personal, in fee or in any lesser interest, by
15 gift, purchase, condemnation, devise, bequest, land
16 exchange, or other means; preservation, restoration,
17 administration, or transference of the property; and



- 1 the charging of reasonable admissions to that
2 property;
- 3 (3) Development of a statewide survey and inventory to
4 identify and document historic properties, aviation
5 artifacts, and burial sites, including all those owned
6 by the State and the counties;
- 7 (4) Preparation of information for the Hawaii register of
8 historic places and listing on the national register
9 of historic places;
- 10 (5) Preparation, review, and revisions of a state historic
11 preservation plan, including budget requirements and
12 land use recommendations;
- 13 (6) Application for and receipt of gifts, grants,
14 technical assistance, and other funding from public
15 and private sources for the purposes of this chapter;
- 16 (7) Provision of technical and financial assistance to the
17 counties and public and private agencies involved in
18 historic preservation activities;
- 19 (8) Coordination of activities of the counties in
20 accordance with the state plan for historic
21 preservation;



- 1 (9) Stimulation of public interest in historic
2 preservation, including the development and
3 implementation of interpretive programs for historic
4 properties listed on or eligible for the Hawaii
5 register of historic places;
- 6 (10) Coordination of the evaluation and management of
7 burial sites as provided in section 6E-43;
- 8 (11) Acquisition of burial sites in fee or in any lesser
9 interest, by gift, purchase, condemnation, devise,
10 bequest, land exchange, or other means, to be held in
11 trust;
- 12 (12) Submittal of an annual report to the governor and
13 legislature detailing the accomplishments of the year,
14 recommendations for changes in the state plan or
15 future programs relating to historic preservation, and
16 an accounting of all income, expenditures, and the
17 fund balance of the Hawaii historic preservation
18 special fund;
- 19 (13) Regulation of archaeological activities throughout the
20 State;



- 1 (14) Employment of sufficient professional and technical
2 staff for the purposes of this chapter which may be in
3 accordance with chapter 76;
- 4 (15) The charging of fees to [~~at least partially defray the~~
5 ~~costs of administering sections 6E-3(13), 6E-8, and~~
6 ~~6E-42 of this chapter,~~] be determined by the
7 department that are proportional to the nature and
8 complexity of the projects or services provided, and
9 adjusted from time to time to ensure that the
10 proceeds, together with all other fines, income, and
11 penalties collected under this chapter, do not surpass
12 the annual operating costs of the comprehensive
13 historic preservation program;
- 14 (16) Adoption of rules in accordance with chapter 91,
15 necessary to carry out the purposes of this chapter;
16 and
- 17 (17) Development and adoption, in consultation with the
18 office of Hawaiian affairs native historic
19 preservation council, of rules governing permits for
20 access by native Hawaiians and Hawaiians to cultural,
21 historic, and pre-contact sites and monuments."



1 SECTION 2. Section 6E-5.5, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

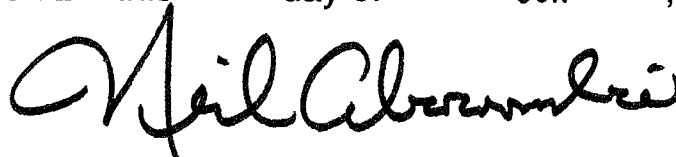
3 "(b) The review board shall:

- 4 (1) Order and enter historic properties into the Hawaii
5 register of historic places on the basis of their
6 value to Hawaii's heritage;
- 7 (2) Evaluate and, when appropriate, recommend the
8 nomination of historic properties to the national
9 register of historic places;
- 10 (3) Review the state survey of historic properties
11 undertaken in accordance with this chapter;
- 12 (4) Review the content of the state historic preservation
13 plan developed in accordance with this chapter;
- 14 (5) Elect a chairperson and a vice-chairperson and adopt
15 such rules as are necessary for the purposes of this
16 section;
- 17 (6) Maintain the Hawaii register of historic places,
18 including all those listed on the national register of
19 historic places, and a program of notification and
20 publication regarding properties on the registers[-];
21 and
- 22 (7) Develop policies on signage in historic districts."



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.
3 SECTION 4. This Act shall take effect on July 1, 2012.

APPROVED this 21 day of JUN , 2012



GOVERNOR OF THE STATE OF HAWAII

