

Honolulu, Hawaii

MAR 21 2014

RE: H.B. No. 1678
H.D. 1
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committees on Technology and the Arts and Water and Land, to which was referred H.B. No. 1678, H.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Amend the definition of "historic property" by excluding any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places; and
- (2) Exempt all residential property that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places from historic preservation review in connection with project or land use applications.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Association of REALTORS, The Pacific Resource Partnership, Chamber of Commerce Hawaii, General Contractors Association of Hawaii, Building Industry Association of Hawaii, and one individual. Your Committees received testimony in opposition to this measure from the Historic Hawaii Foundation, Hawaii Thousand Friends, Society for Hawaiian Archaeology, and eight individuals. Your Committees received comments on this measure from one individual.



Your Committees find that there is a value in preserving and developing the historic and cultural property within the State. Under existing law, "historic property" includes "any building, structure, object, district, area, or site, including heiau and underwater site, which is over fifty years old." As a result of this broad definition that assumes age is equivalent to historic importance, there are many private residences that must undergo a historic preservation review. This has led to late and outstanding regulatory reviews by the State Historic Preservation Division. This measure seeks to reduce excessive delays and allow the State Historic Preservation Division to focus on residences that are worthy to be placed on the Hawaii Register of Historic Places.

Your Committees note the Department of Land and Natural Resources' recommendations to amend the definition of "historic property" to include any property that is included in or eligible for inclusion in the Hawaii Register of Historic Places and to provide counties with a list of project types that have no potential to affect a historic property and a list that identifies the types of properties likely to be eligible for inclusion on the Hawaii Register of Historic Places.

Your Committees have amended this measure by:

- (1) Amending section 1 to reflect the amended purpose of this measure;
- (2) Amending the definition of "historic property" to mean "any building, structure, object, district, area, or site, including heiau and underwater site, that is included in or eligible for inclusion in the Hawaii register of historic places.";
- (3) Exempting from historic preservation review any residential property that is not included in or eligible for inclusion in the Hawaii Register of Historic Places or any project that has no potential to affect a historic property;
- (4) Requiring the Department of Land and Natural Resources to provide the counties with a list that identifies the types of projects that have no potential to affect a historic property, no later than October 1, 2014;




- (5) Requiring the Department of Land and Natural Resources to provide the counties with a list that identifies the types of properties likely to be eligible for inclusion in the Hawaii Register of Historic Places, no later than January 2, 2015;
- (6) Requiring the Department of Land and Natural Resources to develop a plan and proposed budget for completing a comprehensive inventory of the State's historic buildings and to submit the plan and proposed budget to the Legislature; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Technology and the Arts and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1678, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1678, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Technology and
the Arts and Water and Land,



MALAMA SOLOMON, Chair



GLENN WAKAI, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* HB 1678 HDI	Committee Referral: TEC/WTL	Date: 3-18-14		
<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
SOLOMON, Malama (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
DELA CRUZ, Donovan M.				✓
IHARA, Jr., Les	✓			
RUDERMAN, Russell E.	✓			
SHIMABUKURO, Maile S.L.				✓
TANIGUCHI, Brian	✓			
THIELEN, Laura H.	✓			
SLOM, Sam		✓		
TOTAL	6	1	0	2
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