HB 181
RELATING TO HISTORIC PRESERVATION

Statement for
House Committee on
Water, Land Use, Development and Hawaiian Affairs
Public Hearing - 8 February 1985

By
Matthew Spriggs, Anthropology
Doak C. Cox, Environmental Center
Jacquelin Miller, Environmental Center

HB 181 would amend Hawaii Revised Statutes Section 6E-7 under which the disposal by the State of historic sites, whether by lease or otherwise, is controlled. This statement on this bill does not reflect an institutional position of the University of Hawaii.

The intent of the bill, set forth in an attached justification sheet, has merit. We suggest, however, that certain safeguards not provided now either in HRS 6E or in HRS 171, to which the bill refers, should be provided in the bill.

Proposed HRS 6E-7 subsection (c) would require that DLNR concur with any disposal of historic property by the State. However, neither the provisions proposed in the bill nor the present provisions of the law in either HRS 171 or HRS 6E seem to require, prior to such disposal, a public hearing at which those with special historic and archaeological interest might comment on the disposal. A Historic Places Review Board has been established in accordance with HRS 6E-5.5. It is intended to advise DLNR, but we do not find any requirement that it be consulted by DLNR on the disposal of a historic site.

We suggest that consultation with the Historic Places Review Board and the holding of a public hearing should be mandatory prior to any disposal of a historic site by the State.

We note instances in which visitors to an archaeological site are provided with misinformation as to its significance. It would be appropriate that the provision of such misinformation be prohibited under the terms of a lease of a State-owned site.
The attached statement on HB 181 to the House Committee on Water, Land Use, Development and Hawaiian Affairs remains applicable.