

February 3, 2009

The Honorable Carol Fukunaga, Chair

Senate Committee on Economic Development & Technology
State Capitol, Room 016
Honolulu, Hawaii 96813

RE: S.B. 787 Relating to Historic Structures

HEARING DATE: Wednesday, February 4, 2009 at 1:15 p.m.

Dear Chair Fukunaga and Members of the Committee on Economic Development and Technology:

On behalf of our 9,600 members in Hawai'i, the Hawai'i Association of REALTORS® (HAR) **supports the intent** of S.B. 787, which amends Act 228, Session Laws of Hawai'i 2008, allowing photographs to be in any format and providing a time frame for the State Historic Preservation Division to respond to a permit application.

Act 228 was originally intended to preserve bona-fide historic buildings. HAR believes that S.B. 787 does not go far enough to alleviate the burden placed on homeowners who may simply request a permit to do basic renovations to their 50 year old property. Specifically, S.B. 787 as drafted contains ambiguities in its use of the term of "alteration", and applies over broadly to all buildings over fifty years old, regardless of whether such buildings qualify as having historic value.

Senator Carol Fukunaga and Representative Ken Ito have conferred with various stakeholders to address the unintended consequences of Act 228. S.B. 1672 is the result of those efforts, and HAR feels that bill is a better approach.

HAR looks forward to participating in continued dialogue with stakeholders and legislators, and urges the passage of S.B. 1672 as a better choice to clarify the true intent of Act 228.

Mahalo for the opportunity to testify.