

JAN 22 2008

A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

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

1 SECTION 1. The legislature finds that there are many
2 structures in Hawaii that reflect unique cultural heritage and
3 which hold historical significance. The legislature also finds
4 that there is significant value to preserving and perpetuating
5 these structures which reflect Hawaii's cultural, artistic,
6 architectural, and historic heritage.

7 Heritage tourism is a fast growing niche of the tourist
8 industry. Heritage preservation serves to protect and enhance
9 the State's attraction to tourists. It also serves to increase
10 the tax base and property values, as well as generating
11 additional sales of good and services, creating new jobs, and
12 benefiting the state economy.

13 The legislature finds that, to date, funding for historic
14 preservation has been insufficient. To address the insufficient
15 funding for historic preservation, the Historic Hawaii
16 Foundation, in cooperation with the National Trust for Historic
17 Preservation, will establish the Hawaii Preservation Fund. This



1 fund is envisioned as an endowment vehicle which would allow the
2 Historic Hawaii Foundation to compete for federal funds. Funds
3 would be used for preservation services in Hawaii, with the
4 majority of the funding going to direct grant awards to Hawaii
5 based non-profits and governmental organizations that are
6 dedicated to preservation services.

7 The purpose of this Act is to appropriate a portion of the
8 transient accommodations tax to the Hawaii Preservation Fund to
9 provide initial funding for its endowment.

10 SECTION 2. Section 237D-6.5, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "§237D-6.5 Remittances; distribution to counties. (a)

13 All remittances of taxes imposed under this chapter shall be
14 made by cash, bank drafts, cashier's check, money order, or
15 certificate of deposit to the office of the taxation district to
16 which the return was transmitted.

17 (b) Revenues collected under this chapter shall be
18 distributed as follows, with the excess revenues to be deposited
19 into the general fund:

20 (1) 17.3 per cent of the revenues collected under this
21 chapter shall be deposited into the convention center
22 enterprise special fund established under section



1 201B-8; provided that beginning January 1, 2002, if
2 the amount of the revenue collected under this
3 paragraph exceeds \$33,000,000 in any calendar year,
4 revenues collected in excess of \$33,000,000 shall be
5 deposited into the general fund;

6 (2) 34.2 per cent of the revenues collected under this
7 chapter shall be deposited into the tourism special
8 fund established under section 201B-11 for tourism
9 promotion and visitor industry research; provided that
10 beginning on July 1, 2002, of the first \$1,000,000 in
11 revenues deposited:

12 (A) Ninety per cent shall be deposited into the state
13 parks special fund established in section
14 184-3.4; and

15 (B) Ten per cent shall be deposited into the special
16 land and development fund established in section
17 171-19 for the Hawaii statewide trail and access
18 program;

19 provided that of the 34.2 per cent, 0.5 per cent shall
20 be transferred to a sub-account in the tourism special
21 fund to provide funding for a safety and security
22 budget, in accordance with the Hawaii tourism



1 strategic plan 2005-2015; and one per cent shall be
2 transferred to the Hawaii Preservation Fund, as
3 administered by the National Trust for Historic
4 Preservation in cooperation with the Historic Hawaii
5 Foundation; provided further that of the revenues
6 remaining in the tourism special fund after revenues
7 have been deposited as provided in this paragraph and
8 except for any sum authorized by the legislature for
9 expenditure from revenues subject to this paragraph,
10 beginning July 1, 2007, funds shall be deposited into
11 the tourism emergency trust fund, established in
12 section 201B-10, in a manner sufficient to maintain a
13 fund balance of \$5,000,000 in the tourism emergency
14 trust fund; and

- 15 (3) 44.8 per cent of the revenues collected under this
16 chapter shall be transferred as follows: Kauai county
17 shall receive 14.5 per cent, Hawaii county shall
18 receive 18.6 per cent, city and county of Honolulu
19 shall receive 44.1 per cent, and Maui county shall
20 receive 22.8 per cent.

21 All transient accommodations taxes shall be paid into the
22 state treasury each month within ten days after collection and



1 shall be kept by the state director of finance in special
2 accounts for distribution as provided in this subsection.

3 (c) On or before January or July 1 of each year or after
4 the disposition of any tax appeal with respect to an assessment
5 for periods after June 30, 1990, the state director of finance
6 shall compute and pay the amount due as provided in subsection
7 (b) to the director of finance of each county to become a
8 general realization of the county expendable as such, except as
9 otherwise provided by law."

10 SECTION 3. New statutory material is underscored.

11 SECTION 4. This Act shall take effect on July 1, 2008, and
12 shall be repealed on July 1, 2010 and section 237D-6.5, Hawaii
13 Revised Statutes, shall be reenacted in the form in which it
14 read on the day before the approval of this Act; provided,
15 however, that no tax revenue shall be disbursed until the Hawaii
16 Preservation Fund is established by the Historic Hawaii
17 Foundation.

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INTRODUCED BY:

[Handwritten signatures: Keolu, Carol Finkelman, Rensley de Bakh, Anil Yolge]



Report Title:

Historic Preservation Fund; Appropriation

Description:

Directs a portion of transient accommodations tax moneys to initially capitalize the Hawaii preservation fund.

