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## A BILL FOR AN ACT

RELATING TO WORKS OF ART SPECIAL FUND.

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

1 SECTION 1. The purpose of this Act is to:

2 (1) Suspend temporarily the transfer of one per cent of a  
3 capital improvement project appropriation to the works  
4 of art special fund; and

5 (2) Transfer the unexpected and unencumbered moneys in the  
6 works of art special fund to the appropriate capital  
7 projects fund to be allotted and expended for capital  
8 improvement projects.

9 SECTION 2. Section 103-8.5, Hawaii Revised Statutes, is  
10 amended as follows:

11 1. By amending subsection (a) to read:

12 "(a) There is created a works of art special fund, into  
13 which shall be transferred one per cent of all state fund  
14 appropriations for capital improvements designated for the  
15 construction cost element; provided that this transfer shall  
16 apply only to capital improvement appropriations that are  
17 designated for the construction or renovation of state  
18 buildings[-] and contained in any acts making appropriations for



1 expenditure in the fiscal year 2011-2012 or thereafter. The one  
 2 per cent transfer requirement shall not apply to appropriations  
 3 from the passenger facility charge special fund established by  
 4 section 261-5.5 and the rental motor vehicle customer facility  
 5 charge special fund established under section 261-5.6."

6 2. By amending subsection (c) to read:

7 "(c) The one per cent amount, which is included in all  
 8 capital improvement appropriations[7] subject to subsection (a),  
 9 shall be calculated at the time the appropriation bills are  
 10 signed into law. The moneys shall be transferred into the works  
 11 of art special fund upon availability of moneys from the  
 12 appropriations. Each agency receiving capital improvement  
 13 appropriations shall calculate the one per cent amount and  
 14 transfer the moneys into the works of art special fund."

15 SECTION 3. From the effective date of this Act, no portion  
 16 of any capital improvement project appropriation made before the  
 17 fiscal year 2011-2012 shall be transferred to the works of art  
 18 special fund. This section shall apply to any capital  
 19 improvement project appropriation first made before the fiscal  
 20 year 2011-2012, even if the appropriation does not lapse until  
 21 that or a later fiscal year.



1 SECTION 4. (a) Any unexpended and unencumbered moneys in  
2 the works of art special fund on June 30, 2009, shall be  
3 deposited into the appropriate capital projects fund to be  
4 allotted and expended for capital improvement projects, the  
5 appropriation and authorization for which were made before that  
6 date. The allotment and expenditure of these moneys for any  
7 other purpose shall not be lawful, notwithstanding section 103-  
8 8.5(b), Hawaii Revised Statutes.

9 (b) From July 1, 2011, section 103-8.5, Hawaii Revised  
10 Statutes, shall again apply to the expenditure of moneys in the  
11 works of art special fund.

12 SECTION 5. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY: Calvin K. King

JAN 26 2009



**Report Title:**

Works of Art Special Fund; Appropriation Transfer; Suspension

**Description:**

Suspends until 6/30/11 the transfer of 1% of each capital improvement project appropriation to the works of special art fund. Requires that any unexpended and unencumbered moneys in the works of art special fund on 6/30/09 be transferred to the appropriate capital projects fund to be allotted and expended for capital improvement projects.

