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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) Temporarily suspend the transfer of one per cent of  
3 all capital improvement project appropriations to the  
4 works of art special fund; and

5 (2) Transfer any unexpended 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 fiscal year 2011-2012 or thereafter. The one per  
2 cent transfer requirement shall not apply to appropriations from  
3 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  
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 fiscal year  
20 2011-2012, even if the appropriation does not lapse until that  
21 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) Effective July 1, 2011, section 103-8.5, Hawaii  
10 Revised Statutes, in the form in which it read on the day prior  
11 to the effective date of this Act, shall again apply to the  
12 expenditure of moneys in the works of art special fund.

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 Statutory material to be repealed is bracketed  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

15 SECTION 6. This Act shall take effect on July 1, 2112.



**Report Title:**

Works of Art Special Fund; Appropriation Transfer; Suspension

**Description:**

Suspends until June 30, 2011, the transfer of 1% of all capital improvement project appropriations to the Works of Art Special Fund. Requires any unexpended and unencumbered moneys in the Special Fund on June 30, 2009, be transferred to the appropriate capital projects fund to be allotted and expended for capital improvement projects. (HB1224 HD1)

