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# 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 Act 388, Session  
2 Laws of Hawaii 1989, which established the Hawaii historic  
3 preservation special fund, set forth a set of guiding principles  
4 that are even more compelling and relevant today than they were  
5 in 1989:

6           "The legislature . . . finds that as we begin to compete  
7 economically in the Pacific Basin, we are beginning to realize  
8 that much of our strength lies in our own uniqueness - those  
9 factors that provide us with a distinct advantage over our  
10 competitors. . .

11           The legislature further finds that another distinct  
12 advantage that has not been fully tapped is our unique historic  
13 heritage. The preservation and enhancement of this valuable  
14 resource can provide an additional attraction to our visitors in  
15 addition to our beautiful climate, environment, and people. But  
16 more important, the preservation of special elements of our past  
17 can instill a distinct pride in our people and serve as a  
18 reminder, through our historic buildings, documents,



1 photographs, and sites, that we are indeed a unique people and  
2 that we have a deep appreciation and sense of our place.

3 The purpose of this Act is to establish a Hawaii historic  
4 preservation special fund to enhance and preserve elements of  
5 our past that should be integrated into our daily living."

6 In the current economic climate, the legislature finds that  
7 it is difficult to pursue new financial resources, including  
8 private and philanthropic grants, to ensure the preservation of  
9 Hawaii's heritage assets without a corresponding commitment on  
10 the part of the State to provide an underlying baseline of state  
11 funding support.

12 The purpose of this Act is to expand the uses of the Hawaii  
13 historic preservation special fund and to capitalize on  
14 accelerated construction programming proposed by the new  
15 administration to assist in the restoration and preservation of  
16 such heritage assets as the Bernice Pauahi Bishop Museum, Iolani  
17 Palace, Washington Place, and Mauna Ala.

18 SECTION 2. Section 6E-16, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "**§6E-16 Hawaii historic preservation special fund.** (a)

21 There is established a Hawaii historic preservation special fund  
22 into which shall be deposited the following moneys:



- 1 (1) Appropriations by the legislature to the special fund;
- 2 (2) Gifts, donations, and grants from public agencies and
- 3 private persons;
- 4 (3) All proceeds collected by the department derived from
- 5 historic preserve user fees, historic preserve leases
- 6 or concession fees, fees charged to carry out the
- 7 purposes of this chapter, or the sale of goods; ~~and~~
- 8 (4) Civil, criminal, and administrative penalties, fines,
- 9 and other charges collected under this chapter or any
- 10 rule adopted pursuant to this chapter~~[-]~~; and
- 11 (5) One per cent of all state fund appropriations for
- 12 capital improvements designated for the construction
- 13 or renovation of state buildings.

14 All interest earned or accrued on moneys deposited [~~in~~] into the

15 fund shall become part of the fund. The fund shall be

16 administered by the department; provided that the department may

17 contract with a public or private agency to provide the day-to-

18 day management of the fund.

19 (b) Subject to legislative authorization, the [~~department~~

20 ~~may expend moneys from the fund:-]~~ moneys in the fund shall be

21 expended solely for the following purposes:

- 22 (1) For permanent and temporary staff positions;



- 1 (2) To replenish goods;
- 2 (3) To produce public information materials;
- 3 (4) To provide financial assistance to public agencies and  
4 private agencies in accordance with chapter 42F  
5 involved in historic preservation activities other  
6 than those covered by section 6E-9; ~~and~~
- 7 (5) To cover administrative and operational costs of the  
8 historic preservation program[-]; and
- 9 (6) For costs related to site modifications, display, and  
10 interpretive work necessary to enhance the visitor  
11 experience for the Bernice Pauahi Bishop Museum,  
12 Iolani Palace, Washington Place, and Mauna Ala,  
13 including specific preventive maintenance and repairs  
14 to restore these facilities to a condition reflecting  
15 their status in Hawaii's history and the unique  
16 heritage of its arts and culture; provided that the  
17 ordinary maintenance or repair of any feature does not  
18 involve a change in design, material, or outer  
19 appearance or a change in the characteristics that  
20 qualified the historic property for entry in the  
21 Hawaii register of historic places.



1           (c) ~~The [department shall adopt rules in accordance with~~  
2 ~~chapter 91 for the purposes of this section.]~~ one per cent  
3 amount under subsection (a)(5), which is included in all capital  
4 improvement appropriations, shall be calculated at the time the  
5 appropriation bills become law. The moneys shall be transferred  
6 into the Hawaii historic preservation special fund upon  
7 availability of moneys from the appropriations for expenditure  
8 by the department in consultation with the comptroller; provided  
9 that from July 1, 2011, through June 30, 2015, when the  
10 transferred moneys exceed \$ \_\_\_\_\_ annually, any moneys in  
11 excess of \$ \_\_\_\_\_, but not more than \$ \_\_\_\_\_, shall be  
12 expended by the comptroller for the purposes of subsection  
13 (b)(6), pursuant to subsection (e). Each agency receiving  
14 capital improvement appropriations shall calculate the one per  
15 cent amount and transfer the moneys into the Hawaii historic  
16 preservation special fund.

17           (d) The comptroller shall work with the Bernice Pauahi  
18 Bishop Museum, Friends of Iolani Palace, Washington Place, and  
19 state parks division of the department to decide on the specific  
20 site modifications, display, interpretive work, and preventive  
21 maintenance and repair projects to be undertaken at the  
22 respective facilities for the purposes of subsection (b)(6).



1       (e) Expenditures from the Hawaii historic preservation  
2 special fund shall be made by the comptroller.

3       (f) The comptroller shall:

4       (1) Provide each agency receiving capital improvement  
5 appropriations with information regarding items that  
6 shall be included and excluded from the one per cent  
7 amount for historic preservation;

8       (2) Ensure that each agency calculates its one per cent  
9 amount correctly; and

10       (3) Ensure that each agency transfers the correct amount  
11 to the Hawaii historic preservation special fund in a  
12 timely manner.

13       (g) The comptroller and the department shall track amounts  
14 due from each agency under the one per cent requirement provided  
15 in this section."

16       SECTION 3. The comptroller shall submit to the governor  
17 and the legislature:

18       (1) No later than twenty days prior to the convening of  
19 the regular sessions of 2012, 2013, and 2014, a  
20 complete and detailed report on any site  
21 modifications, display, interpretive work, and  
22 specific preventive maintenance and repairs for the



1           Bernice Pauahi Bishop Museum, Iolani Palace,  
2           Washington Place, and Mauna Ala; and  
3           (2) No later than twenty days prior to the convening of  
4           the regular session of 2015, a final report on the  
5           projects and expenditures for the Bernice Pauahi  
6           Bishop Museum, Iolani Palace, Washington Place, and  
7           Mauna Ala, and recommendations for a long-term plan to  
8           restore and protect state-owned historic heritage  
9           properties and facilities to ensure that all Hawaii  
10          residents and visitors are able to access and benefit  
11          from the arts, culture, and heritage experiences that  
12          these properties and facilities provide.

13          SECTION 4. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15          SECTION 5. This Act shall take effect on July 1, 2030.



**Report Title:**

Hawaii Historic Preservation Special Fund; Uses

**Description:**

Requires one per cent of all state fund appropriations designated for the construction and renovation of state buildings to be deposited into the Hawaii Historic Preservation Special Fund. Adds the costs related to site modifications, display, and interpretive work necessary to enhance the visitor experience for the Bernice Pauahi Bishop Museum, Iolani Palace, Washington Place, and Mauna Ala to the uses of the Fund. Requires reports to the Governor and Legislature. Effective July 1, 2030. (SB333 HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

