

JAN 25 2012

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# A BILL FOR AN ACT

RELATING TO STATE LIBRARIES.

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

1 SECTION 1. Section 312-3.8, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§312-3.8 [~~Hawaii state library foundation and friends of~~  
4 ~~the library of Hawaii concessions; use of public library~~  
5 ~~facilities.] Use of public library facilities; funds. (a)~~

6 Notwithstanding any law to the contrary, the Hawaii state public  
7 library system, through the state librarian, shall [~~be~~  
8 ~~authorized to~~] issue licenses, revocable permits, concessions,  
9 or rights of entry for the use of public library system  
10 facilities and grounds and for such periods of use as deemed  
11 appropriate by the state librarian to [~~the Hawaii state library~~  
12 ~~foundation and the friends of the library of Hawaii]~~ the Friends  
13 of the Library of Hawaii and any tax-exempt non-profit  
14 corporation recognized by the Internal Revenue Service under  
15 section 501(c) (3) of the Internal Revenue Code of 1986 whose  
16 primary declared purpose is the support of any library within  
17 the Hawaii State Public Library System. [~~for the use of public~~  
18 ~~library system facilities and grounds and for such periods of~~



1 ~~use as deemed appropriate by the state librarian.]~~ All such  
2 dispositions, including those in excess of fourteen days, need  
3 not be approved by the board of land and natural resources;  
4 provided that approval by the board of land and natural  
5 resources shall be required when such dispositions are for  
6 periods in excess of one year.

7 (b) Notwithstanding any law to the contrary, all net  
8 income or proceeds received by the Hawaii state library  
9 foundation and the ~~[friends of the library of Hawaii]~~ Friends of  
10 the Library of Hawaii from the operation of any concession,  
11 vending machine, or other for-profit business enterprise within,  
12 or on the grounds of, any state library facility shall be  
13 deposited into the Hawaii state library foundation trust fund or  
14 the ~~[friends of the library of Hawaii]~~ Friends of the Library of  
15 Hawaii trust fund, as appropriate. All funds deposited into the  
16 trust funds, including income and capital gains earned  
17 therefrom, shall be used exclusively for state library programs.

18 (c) Notwithstanding any law to the contrary, all net  
19 income or proceeds received by any tax-exempt non-profit  
20 corporation, as provided in subsection (a), from the operation  
21 of any concession, vending machine, or other for-profit business  
22 enterprise within, or on the grounds of, a state library



1 facility shall be deposited into the trust fund of the non-  
 2 profit corporation. All funds deposited into the trust fund of  
 3 the non-profit corporation, including income and capital gains  
 4 earned therefrom, shall be used exclusively for the library  
 5 that the non-profit is recognized to support."

6 SECTION 3. Statutory material to be repealed is bracketed  
 7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

*[Signature]*

*Amir Y. J.*

*Michelle [unclear]*

*Y. Khan*

*[Signature]*

*Sharon Chen [unclear]*

*Randy de Bab*

*[Signature]*



# S.B. NO. 2994

**Report Title:**

State Libraries; Concessions; Non-Profit Corporations.

**Description:**

Requires the state librarian to issue licenses, revocable permits, concessions, or rights of entry, for a discretionary period, to any 501(c)(3) corporation that exists for the purpose of supporting a library within the Hawaii State Public Library System.

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

