

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 699
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Labor, Culture and the Arts, to which was referred S.B. No. 699 entitled:

"A BILL FOR AN ACT RELATING TO THE BERNICE PAUHI BISHOP MUSEUM,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Beginning with the 2021-2023 fiscal biennium, require the Governor to include in the executive budget request a minimum amount per fiscal year to be allocated to the State of Hawaii Museum of Natural and Cultural History; and
- (2) Appropriate funds to support the work of the State of Hawaii Museum of Natural and Cultural History.

Your Committee received testimony in support of this measure from the Historic Hawai'i Foundation; Bishop Museum; Kamehameha Schools; Charles Reed Bishop Trust; Native Hawaiian Hospitality Association; O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i; Society of Hawaiian Archaeology; International Archaeological Research Institute, Inc.; and four individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Budget and Finance, and Department of the Attorney General.



Your Committee finds that the Bernice Pauahi Bishop Museum, designated as the State of Hawaii Museum of Natural and Cultural History, is significant for its cultural, architectural, educational, scientific, and historical contributions to Hawaii. It is listed on the National Register of Historic Places and is one of Hawaii's most significant and iconic buildings. Your Committee further finds that Bernice Pauahi Bishop Museum researchers have discovered over seventeen thousand species of plants, animals, and insects throughout the Pacific region and have made countless discoveries related to the migration, settlement, and daily life of Pacific people. Not only does the Bernice Pauahi Bishop Museum conduct research, but it also provides vital education to the public, including thousands of Hawaii's schoolchildren.

Your Committee also finds that the annual appropriation to the Bernice Pauahi Bishop Museum has decreased significantly over the preceding decade. This measure will appropriate funds to the State of Hawaii Museum of Natural and Cultural History, which will enable the Bernice Pauahi Bishop Museum to continue its work.

Your Committee notes the testimony of the Department of the Attorney General that "one Legislature cannot obligate a future Legislature to make an appropriation," and that therefore this measure does not provide mandatory funding. Your Committee finds that this measure does not purport to provide a mandatory level of funding but merely requires that the Governor's executive budget request to the Legislature for funding for each fiscal biennium include a minimum amount for the State of Hawaii Museum of Natural and Cultural History. Your Committee acknowledges that it cannot predict what future Legislatures will do, but by requiring the Governor to include a request for funding, it highlights the importance of the museum in the State and gives future Legislatures the option of providing the recurring funding the museum needs.

Your Committee has amended this measure by:

- (1) Clarifying that the Governor's inclusion of a minimum amount in the executive budget request continues for each fiscal biennium as a recurring cost after the 2021-2023 fiscal biennium;



- (2) Inserting the amount of \$2,000,000 as the minimum amount that shall be included in the Governor's executive budget request; and
- (3) Decreasing the appropriation to support the work of the Bernice Pauahi Bishop Museum, including but not limited to collections care and student learning programs, for fiscal years 2019-2020 and 2020-2021 from \$3,700,000 to \$2,000,000.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 699, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 699, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Labor, Culture and
the Arts,


BRIAN T. TANIGUCHI, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Labor, Culture and the Arts
LCA

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>SB 699</i>	<i>LCA, WAM</i>	<i>2-12-2019</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
IHARA, Jr., Les (VC)	✓			
CHANG, Stanley	✓			
GABBARD, Mike	✓			
FEVELLA, Kurt	✓			
TOTAL	<i>5</i>	<i>0</i>	<i>0</i>	<i>0</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>[Signature]</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes