

JAN 24 2024

A BILL FOR AN ACT

RELATING TO CULTURE AND THE ARTS.

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

1 SECTION 1. The legislature finds that, pursuant to
2 Act 398, Session Laws of Hawaii 1988, the Bernice Pauahi Bishop
3 Museum was designated as the State of Hawaii Museum of Natural
4 and Cultural History and, pursuant to Act 291, Session Laws of
5 Hawaii 2007, the Friends of Iolani Palace was designated as the
6 State of Hawaii Museum of Monarchy History. The legislature
7 also finds that the intent of these designations was to provide
8 the museums with a reliable funding source so that they would no
9 longer be dependent on grants and private donations. The
10 legislature further finds that, during the regular session of
11 2022, \$7,500,000 was appropriated to the State of Hawaii Museum
12 of Natural and Cultural History and \$2,000,000 was appropriated
13 to the State of Hawaii Museum of Monarchy History.

14 The legislature believes that to ensure that the operations
15 of the museums are in alignment with the State's vision, two ex
16 officio, voting members, to be selected from certain state
17 agencies, should be added to board of directors of each museum.



1 The purpose of this Act is to:

2 (1) Require that the State of Hawaii Museum of Natural and
3 Cultural History and the State of Hawaii Museum of
4 Monarchy History boards of directors include two ex
5 officio, voting members, to be selected from the board
6 of land and natural resources, university of Hawaii,
7 board of agriculture, or the department of accounting
8 and general services;

9 (2) Require the State of Hawaii Museum of Natural and
10 Cultural History to submit an annual report to the
11 legislature; and

12 (3) Establish standards and conditions that the State of
13 Hawaii Museum of Natural and Cultural History must
14 meet to receive state funds.

15 SECTION 2. Section 6E-35, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "§6E-35 Iolani Palace. (a) The official designation of
18 the palace of the former monarchs of Hawaii shall be Iolani
19 Palace.

20 (b) The official designation of the Friends of Iolani
21 Palace shall be the State of Hawaii Museum of Monarchy



1 History[-]; provided that effective July 1, 2024, in order for
2 the designation to remain in effect, the board of directors
3 shall include two ex officio, voting members, to be selected by
4 the board from the following:

5 (1) The chair of the board of land and natural resources,
6 or the chair's designee;

7 (2) The president of the university of Hawaii, or the
8 president's designee;

9 (3) The chair of the board of agriculture, or the chair's
10 designee; or

11 (4) The comptroller, or the comptroller's designee.

12 (c) The qualifying standards and conditions related to the
13 receipt of funds under chapter 42F shall not apply to funds
14 received by the State of Hawaii Museum of Monarchy History;
15 provided that if the museum contracts with a recipient or
16 provider, then the qualifying standards, conditions, and other
17 provisions of chapter 42F shall apply to the recipient or
18 provider and the contract.

19 ~~(e)~~ (d) To receive state funds, the State of Hawaii
20 Museum of Monarchy History shall:



- 1 (1) Be licensed or accredited, in accordance with federal,
2 state, or county statutes, rules, or ordinances, to
3 conduct the activities or provide the services for
4 which funds are appropriated;
- 5 (2) Comply with all applicable federal and state laws
6 prohibiting discrimination against any person on the
7 basis of race, color, national origin, religion,
8 creed, sex, age, sexual orientation, or disability;
- 9 (3) Agree not to use the funds for entertainment or
10 lobbying activities;
- 11 (4) Be incorporated under the laws of the State;
- 12 (5) Have bylaws or policies that describe the manner in
13 which the activities or services for which a grant is
14 awarded shall be conducted or provided;
- 15 (6) Have been determined and designated to be a tax-exempt
16 organization by the Internal Revenue Service; and
- 17 (7) Have a governing board whose [~~members~~] membership
18 shall include two ex officio, voting members, and
19 other members who shall have no material conflict of
20 interest and serve without compensation.



1 [~~(d)~~] (e) The comptroller and state auditor shall have the
2 authority to examine the use of funds appropriated to the State
3 of Hawaii Museum of Monarchy History.

4 [~~(e)~~] (f) The State of Hawaii Museum of Monarchy History
5 shall provide to the legislature an annual report no later than
6 twenty days prior to the convening of each regular session,
7 which shall include an explanation of the facility maintenance
8 and other functions accomplished by state fund expenditures in
9 the previous fiscal year."

10 SECTION 3. Section 6E-40, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "§6E-40 Bernice Pauahi Bishop Museum. (a) The official
13 designation of the Bernice Pauahi Bishop Museum shall be the
14 State of Hawaii Museum of Natural and Cultural History[-];
15 provided that effective July 1, 2024, in order for the
16 designation to remain in effect, the board of directors shall
17 include two ex officio, voting members, to be selected by the
18 board from the following:

19 (1) The chair of the board of land and natural resources,
20 or the chair's designee;



1 (2) The president of the university of Hawaii, or the
2 president's designee;

3 (3) The chair of the board of agriculture, or the chair's
4 designee; or

5 (4) The comptroller, or the comptroller's designee.

6 (b) The qualifying standards and conditions related to the
7 receipt of funds contained in chapter 42F shall not apply to
8 funds received by the State of Hawaii Museum of Natural and
9 Cultural History; provided that if the museum in turn contracts
10 with a recipient or provider, then the qualifying standards,
11 conditions, and other provisions of chapter 42F shall apply to
12 the recipient or provider and the contract.

13 (c) The State of Hawaii Museum of Natural and Cultural
14 History shall provide to the legislature an annual report no
15 later than twenty days prior to the convening of each regular
16 session, which shall include an explanation of the facility
17 maintenance and other functions accomplished by state fund
18 expenditures in the previous fiscal year.

19 (d) To receive state funds, the State of Hawaii Museum of
20 Natural and Cultural History shall:



- 1 (1) Be licensed or accredited, in accordance with federal,
2 state, or county statutes, rules, or ordinances, to
3 conduct the activities or provide the services for
4 which funds are appropriated;
- 5 (2) Comply with all applicable federal and state laws
6 prohibiting discrimination against any person on the
7 basis of race, color, national origin, religion,
8 creed, sex, age, sexual orientation, or disability;
- 9 (3) Agree not to use the funds for entertainment or
10 lobbying activities;
- 11 (4) Be incorporated under the laws of the State;
- 12 (5) Have bylaws or policies that describe the manner in
13 which the activities or services for which a grant is
14 awarded shall be conducted or provided;
- 15 (6) Have been determined and designated to be a tax-exempt
16 organization by the Internal Revenue Service; and
- 17 (7) Have a governing board whose membership shall include
18 two ex officio, voting members, and other members who
19 shall have no material conflict of interest and serve
20 without compensation."

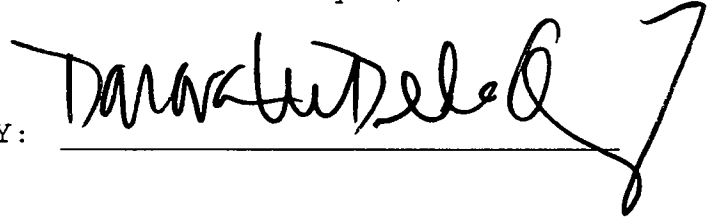


1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on July 1, 2024.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Dan Rostenbros", is written over a horizontal line. The signature is stylized and extends to the right of the line.



S.B. NO. 3281

Report Title:

State of Hawaii Museum of Natural and Cultural History; State of Hawaii Museum of Monarchy History; Annual Report; Standards and Conditions for Receipt of Funds

Description:

Requires that the State of Hawaii Museum of Natural and Cultural History and the State of Hawaii Museum of Monarchy History boards of directors include two ex officio, voting members, to be selected from certain state agencies. Requires the State of Hawaii Museum of Natural and Cultural History to submit an annual report to the Legislature. Establishes standards and conditions that the State of Hawaii Museum of Natural and Cultural History must meet to receive state funds.

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

