

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 museums are vital
2 centers of culture and the arts for natural, indigenous, and
3 cultural history. Iolani Palace and the State of Hawaii Museum
4 of Natural and Cultural History, also known as the Bernice
5 Pauahi Bishop Museum, have been designated as official museums
6 of state history. Both museums receive millions of taxpayer
7 dollars in state support each year, but only Iolani Palace is
8 required to be accredited, report to the State, and provide
9 transparency regarding the funds they receive and how they are
10 used.

11 The legislature further finds that for the purpose of
12 maintaining cultural engagement with the public, it is important
13 to ensure proper use of taxpayer dollars by applying similar
14 transparency measures required of Iolani Palace for many years,
15 to Bishop Museum.

16 The purpose of this Act is to:



1 (1) Amend the official designation of Bishop Museum from
2 the State of Hawaii Museum of Natural and Cultural
3 History to the State of Hawaii Museum of Natural,
4 Indigenous, and Cultural History; and

5 (2) Establish requirements for the State of Hawaii Museum
6 of Natural, Indigenous, and Cultural History to meet
7 in order to receive state funds.

8 SECTION 2. Section 6E-40, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§6E-40 Bernice Pauahi Bishop Museum.** (a) The official
11 designation of the Bernice Pauahi Bishop Museum shall be the
12 State of Hawaii Museum of Natural, Indigenous, and Cultural
13 History.

14 (b) The qualifying standards and conditions related to the
15 receipt of funds contained in chapter 42F shall not apply to
16 funds received by the State of Hawaii Museum of Natural,
17 Indigenous, and Cultural History; provided that if the museum in
18 turn contracts with a recipient or provider, then the qualifying
19 standards, conditions, and other provisions of chapter 42F shall
20 apply to the recipient or provider and the contract.



1 (c) To receive state funds, the State of Hawaii Museum of
2 Natural, Indigenous, and Cultural History shall:

3 (1) Be licensed or accredited, in accordance with federal,
4 state, or county statutes, rules, or ordinances, to
5 conduct the activities or provide the services for
6 which funds are appropriated;

7 (2) Comply with all applicable federal and state laws
8 prohibiting discrimination against any person on the
9 basis of race, color, national origin, religion,
10 creed, sex, age, sexual orientation, or disability;

11 (3) Agree not to use the funds for entertainment or
12 lobbying activities;

13 (4) Be incorporated under the laws of the State;

14 (5) Have bylaws or policies that describe the manner in
15 which the activities or services for which a grant is
16 awarded shall be conducted or provided;

17 (6) Have been determined and designated to be a tax-exempt
18 organization by the Internal Revenue Service; and

19 (7) Have a governing board whose members shall have no
20 material conflict of interest and serve without
21 compensation, and that shall include two seats for



1 representatives of the State of Hawaii, which shall be
2 appointed by the Governor.

3 (d) The comptroller and state auditor shall have the
4 authority to examine the use of funds appropriated to the State
5 of Hawaii Museum of Natural, Indigenous, and Cultural History.

6 (e) The State of Hawaii Museum of Natural, Indigenous, and
7 Cultural History shall provide to the legislature an annual
8 report no later than twenty days prior to the convening of each
9 regular session, which shall include a detailed breakdown and
10 explanation of the facility maintenance and other functions
11 accomplished by state fund expenditures in the previous fiscal
12 year."

13 SECTION 3. In accordance with section 9 of article VII of
14 the Hawaii State Constitution and sections 37-91 and 37-93,
15 Hawaii Revised Statutes, the legislature has determined that the
16 appropriations contained in Act 164, Regular Session of 2023,
17 and this Act will cause the state general fund expenditure
18 ceiling for fiscal year 2024-2025 to be exceeded by
19 \$ or per cent. This current declaration takes
20 into account general fund appropriations authorized for fiscal
21 year 2024-2025 in Act 164, Regular Session of 2023, and this Act



1 only. The reasons for exceeding the general fund expenditure
2 ceiling are that:

3 (1) The appropriation made in this Act is necessary to
4 serve the public interest; and

5 (2) The appropriation made in this Act meets the needs
6 addressed by this Act.

7 SECTION 4. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$7,500,000 or so much
9 thereof as may be necessary for fiscal year 2024-2025 for
10 Bernice Pauahi Bishop Museum, officially designated as the State
11 of Hawaii Museum of Natural, Indigenous, and Cultural Museum, to
12 comply with section 2 of this Act.

13 The sum appropriated shall be expended by the department of
14 budget and finance for the purposes of this Act.

15 SECTION 5. New statutory material is underscored.

16 SECTION 6. This Act shall take effect on July 1, 2024.

17

INTRODUCED BY:





S.B. NO. 3347

Report Title:

State of Hawaii Museum of Natural, Indigenous, and Cultural History; Report; Expenditure Ceiling; Appropriation

Description:

Establishes requirements for the State of Hawaii Museum of Natural, Indigenous, and Cultural History to meet in order to receive state funds. Requires a report to the Legislature. Declares that the general fund expenditure ceiling is exceeded. Makes an appropriation.

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