

ACT 388

H.B. NO. 30

A Bill for an Act Relating to Historic Preservation.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that over the past two decades, Hawaii has witnessed dramatic changes in her landscape, population, and economic development. Unfortunately, some of this change has resulted in the loss of significant remnants of Hawaii's rich heritage.

The legislature further finds that as we begin to compete economically in the Pacific Basin, we are beginning to realize that much of our strength lies in our own uniqueness - those factors that provide us with a distinct advantage over our competitors. This uniqueness comes in all forms such as our geographical location that makes the South Point on the Big Island an ideal space launching site; or our accessibility to cold, pure ocean water that makes Keahole the prime spot for aquaculture and other forms of ocean science research.

The legislature further finds that another distinct advantage that has not been fully tapped is our unique historic heritage. The preservation and enhancement of this valuable resource can provide an additional attraction to our visitors in addition to our beautiful climate, environment, and people. But more important, the preservation of special elements of our past can instill a distinct pride in our people and serve as a reminder, through our historic buildings, documents, photographs, and sites, that we are indeed a unique people and that we have a deep appreciation and sense of our place.

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

SECTION 2. Chapter 6E, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§6E- Hawaii historic preservation special fund. (a) There is established a Hawaii historic preservation special fund into which shall be deposited the following moneys:

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- (1) Appropriations by the legislature to the special fund; and
- (2) Gifts, donations, and grants from public agencies and private persons.

All interest earned or accrued on moneys deposited in the fund shall become part of the fund. The fund shall be administered by the department of land and natural resources; provided that the department may contract with a public or private agency to provide the day-to-day management of the fund.

(b) The department may expend moneys from the fund to provide financial assistance to public agencies and private agencies in accordance with chapter 42 involved in historic preservation activities other than those covered by section 6E-9.

(c) The department shall adopt rules in accordance with chapter 91 for the purposes of this section."

SECTION 3. In accordance with Section 9 of Article VII of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the appropriations contained in this Act will cause the state general fund expenditure ceiling for fiscal year 1989-1990 to be exceeded by \$1,000,000 or 0.043 per cent. The reasons for exceeding the general fund expenditure ceiling are that the appropriations made in this Act are necessary to serve the public interest and to meet the needs provided for by this Act.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,000,000, or so much thereof as may be necessary for the fiscal year 1989-1990, to be deposited into the Hawaii historic preservation special fund.

SECTION 5. The sum appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 6. New statutory material is underscored.¹

SECTION 7. This Act shall take effect on July 1, 1989.

(Approved June 27, 1989.)

Note

1. Edited pursuant to HRS §23G-16.5.