

ACT 106

H.B. NO. 611

A Bill for an Act Relating to Concessions at Public Library Facilities.

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

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

“[§312-3.8] Hawaii state library foundation and friends of the library of Hawaii concessions; use of public library facilities. (a) Notwithstanding any law to the contrary, the ~~[department of education,]~~ Hawaii state public library system, through the state librarian, shall be authorized to issue licenses, revocable permits, concessions, or rights of entry to the Hawaii state library foundation and the friends of the library of Hawaii for the use of public library system facilities and grounds and for such periods of use as deemed appropriate by the ~~[department.]~~ state librarian. All such dispositions, including those in excess of fourteen days, need not be approved by the board of land and natural resources; provided that approval by the board of land and natural resources shall be required when such dispositions are for periods in excess of one year.

(b) Notwithstanding any law to the contrary, all net income or proceeds received by the Hawaii state library foundation and the friends of the library of Hawaii from the operation of any concession, vending machine, or other for-profit business enterprise within, or on the grounds of, any state library facility shall be deposited into the Hawaii state library foundation trust fund ~~[-The disposition of such net income or proceeds shall be subject to the provisions of section 312-3.7.]~~ or the friends of the library of Hawaii trust fund, as appropriate. All funds deposited into the trust funds, including income and capital gains earned therefrom, shall be used exclusively for state library programs.”

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 3. This Act shall take effect upon its approval.

(Approved May 18, 2001.)