

JAN 22 2016

S.B. NO. 2486

A BILL FOR AN ACT

RELATING TO THE DIAMOND HEAD STATE MONUMENT.

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

1 SECTION 1. The legislature finds that Diamond Head is a
2 world-famous landmark, representing Hawaii to millions of people
3 throughout the world. In recognition of Diamond Head's wealth
4 of information about Hawaii's geology, plants, and ancient
5 Hawaiian culture, the legislature adopted Act 104, Session Laws
6 of Hawaii 1976, to establish the Diamond Head State Monument as
7 an historical site on Oahu. Subsequently, the Diamond Head
8 State Monument plan of 1979 established a state policy of
9 establishing a semi-wilderness park with minimal enhancement to
10 Diamond Head. The Diamond Head Citizens Advisory Committee was
11 formed in 1977 to advise the department of land and natural
12 resources on the preservation and management of Diamond Head.
13 Further, Act 313, Session Laws of Hawaii 1992, reaffirmed the
14 recognition of Diamond Head crater as a natural landmark by the
15 federal government and a state monument by the State of Hawaii.
16 The legislature further finds that number of visitors at
17 Diamond Head exceeds one million annually, more than other state



1 parks. Therefore, Act 292, Session Laws of Hawaii 2007,
2 established within the state parks special fund a Diamond Head
3 State Monument sub-account, into which is deposited fifty-five
4 per cent of all proceeds collected from the admission fees
5 charged at the Diamond Head State Monument. Moneys from the
6 sub-account are to be expended on repair, maintenance, and
7 operating costs incurred by the State in the management of the
8 Diamond Head State Monument.

9 The legislature further finds that visitors to the Diamond
10 Head State Monument currently use the services of an
11 interpretive kiosk. The high number of visitors, however,
12 justifies the planning, design, and construction of a dedicated
13 visitor and interpretive center, which has been a long-standing
14 goal of the Diamond Head State Monument master plan, and which
15 can more adequately inform the public and provide educational
16 programs about the unique history and significance of Diamond
17 Head.

18 The purpose of this Act is to support the Diamond Head
19 State Monument by:



- 1 (1) Including appropriations from the legislature as a
2 source from which moneys may be deposited into the
3 state parks special fund;
- 4 (2) Increasing the percentage of proceeds collected from
5 the admission fees charged at the Diamond Head State
6 Monument that are deposited into the Diamond Head
7 State Monument sub-account of the state parks special
8 fund from fifty-five per cent to per cent;
- 9 (3) Expanding the sources from which moneys shall be
10 deposited into the Diamond Head State Monument sub-
11 account of the state parks special fund;
- 12 (4) Authorizing the department of land and natural
13 resources to expend moneys from the Diamond Head State
14 Monument sub-account of the state parks special fund
15 on planning, design, construction, at the Diamond Head
16 State Monument, including the visitor and interpretive
17 center, and educational programs relating to the
18 Diamond Head State Monument; and
- 19 (5) Authorizing the issuance of general obligation bonds
20 for the planning, design, and construction of a



1 Diamond Head State Monument visitor and interpretive
2 center.

3 SECTION 2. Section 184-3.4, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§184-3.4 State parks special fund. (a) There is
6 established within the state treasury a fund to be known as the
7 state parks special fund, into which shall be deposited:

8 (1) All proceeds collected by the state parks programs
9 involving park user fees, any leases or concession
10 agreements, the sale of any article purchased from the
11 department to benefit the state parks programs, or any
12 gifts or contributions; provided that proceeds derived
13 from the operation of Iolani Palace shall be used to
14 supplement its educational and interpretive programs;
15 [and]

16 (2) Transient accommodations tax revenues pursuant to
17 section 237D-6.5; provided that these moneys shall be
18 expended in response to a master plan developed in
19 coordination with the Hawaii tourism authority[-]; and

20 (3) Appropriations by the legislature to the state parks
21 special fund.



1 (b) The department shall expend the moneys from the state
2 parks special fund for the following purposes:

3 (1) Permanent and temporary staff positions;

4 (2) Planning and development of state parks programs,
5 including the aina hoomalu state parks program;

6 (3) Construction, repairs, replacement, additions, and
7 extensions of state parks facilities;

8 (4) Operation and maintenance costs of state parks and
9 state parks programs; and

10 (5) Administrative costs of the division of state parks.

11 (c) There is established within the state parks special
12 fund[7] a Diamond Head State Monument sub-account, into which
13 shall be deposited [~~fifty-five~~] _____ per cent of all proceeds
14 collected from [~~the admission~~]:

15 (1) Admission and user fees [~~charged at~~ and lease and
16 concession agreements involving the Diamond Head State
17 Monument[-];

18 (2) Funds to benefit the Diamond Head State Monument
19 resulting from the sale of any article purchased from
20 the department;

21 (3) Gifts and contributions; and



1 (4) Appropriations by the legislature to the Diamond Head
2 State Monument sub-account of the state parks special
3 fund.

4 (d) The department shall expend the moneys from the
5 Diamond Head State Monument sub-account for ~~[repair,]~~:

6 (1) Repair, replacement, maintenance, [and] operating, and
7 management costs;

8 (2) Planning, design, construction, and additions; and

9 (3) Education programs;

10 ~~[incurred by the State in the management of]~~ relating to the
11 Diamond Head State Monument ~~[,]~~ , including a visitor and
12 interpretive center."

13 SECTION 3. The director of finance is authorized to issue
14 general obligation bonds in the sum of \$ or so much
15 thereof as may be necessary and the same sum or so much thereof
16 as may be necessary is appropriated for fiscal year 2016-2017
17 for the purpose of planning, designing, and constructing a
18 Diamond Head State Monument visitor and interpretive center.

19 The sum appropriated shall be deposited into the Diamond
20 Head State Monument sub-account of the state parks special fund.



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SECTION 4. There is appropriated out of the Diamond Head State Monument sub-account of the state parks special fund the sum of \$ or so much thereof as may be necessary for fiscal year 2016-2017 for the capital improvement project set forth in section 3.

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

SECTION 5. The appropriation made for the capital improvement project authorized by this Act shall not lapse at the end of the fiscal biennium for which the appropriation is made; provided that all moneys from the appropriation unencumbered as of June 30, 2018, shall lapse as of that date.

SECTION 6. This Act shall take effect on July 1, 2016.

INTRODUCED BY:

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Report Title:

Diamond Head State Monument; State Parks Special Fund; GO Bonds; Appropriation

Description:

Expands the sources of funds for the Diamond Head State Monument sub-account of the state parks special fund. Authorizes additional uses of moneys from the sub-account. Authorizes the issuance of general obligation bonds for the planning, design, and construction of a visitor and interpretive center.

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