
HOUSE RESOLUTION

REQUESTING THE COMPTROLLER, IN CONSULTATION WITH THE DIRECTOR OF FINANCE, TO SUBMIT A REPORT ON THE PROCESS AND PROCEDURES FOR THE TRANSFER OF FUNDS TO THE WORKS OF ART SPECIAL FUND.

1 WHEREAS, the Legislature enacted Act 298, Session Laws of
2 Hawaii 1967, which required all appropriations for the original
3 construction of any state building to include, as a
4 nondeductible item, an amount of one percent of the
5 appropriation for the acquisition of works of art, which may be
6 an integral part of the structure, attached to the structure,
7 detached within or outside of the structure, or can be exhibited
8 in other public facilities; and
9

10 WHEREAS, Act 389, Session Laws of Hawaii 1989 (Act 389),
11 established the Works of Art Special Fund, codified as section
12 103-8.5, Hawaii Revised Statutes, into which one percent of all
13 state fund appropriations for capital improvements designated
14 for the construction cost element is deposited; and
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16 WHEREAS, Act 389 also expanded the one percent assessment
17 to capital improvement appropriations that are designated for
18 the renovation of state buildings; and
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20 WHEREAS, pursuant to section 103-8.5(c), Hawaii Revised
21 Statutes:

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23 (1) The one percent amount, which is included in all
24 capital improvement appropriations is required to be
25 calculated at the time the appropriation bills are
26 signed into law;
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28 (2) The moneys are to be transferred into the Works of Art
29 Special Fund upon availability of funds from the
30 appropriations; and
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- 1 (3) Each agency receiving capital improvement
- 2 appropriations is required to calculate the one
- 3 percent amount and transfer the funds into the Works
- 4 of Art Special Fund; and
- 5

6 WHEREAS, according to section 103-8.5(e), Hawaii Revised
7 Statutes, the Comptroller shall:

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- 9 (1) Provide each agency receiving capital improvement
- 10 appropriations with information regarding items that
- 11 shall be included and excluded from the one percent
- 12 amount;
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- 14 (2) Ensure that each agency calculates its one percent
- 15 amount correctly; and
- 16
- 17 (3) Ensure that each agency transfers the correct amount
- 18 to the Works of Art Special Fund in a timely manner;
- 19 now therefore,
- 20

21 BE IT RESOLVED by the House of Representatives of the
22 Thirty-second Legislature of the State of Hawaii, Regular
23 Session of 2023, that the Comptroller, in consultation with the
24 Director of Finance, is requested to submit a report to the
25 Legislature on the process and procedures for the transfer of
26 funds to the Works of Art Special Fund; and

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28 BE IT FURTHER RESOLVED that the report include:

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- 30 (1) An analysis on the appropriate cost elements to be
- 31 included in the transfers; and
- 32
- 33 (2) Determine if transfers are being made more than once
- 34 for the same project when appropriations are lapsed
- 35 and reauthorized; and
- 36

37 BE IT FURTHER RESOLVED that the report be submitted to the
38 Legislature by November 1, 2023; and

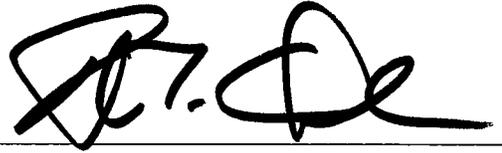
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40 BE IT FURTHER RESOLVED that certified copies of this
41 Resolution be transmitted to the Comptroller and Director of
42 Finance.



H.R. NO. 41

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OFFERED BY:

A handwritten signature in black ink, appearing to be "R. De", written over a horizontal line.

MAR - 8 2023

