
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 pursuant to Act 398,
2 Session Laws of Hawaii 1988, the Bernice Pauahi Bishop Museum
3 was designated as the State of Hawaii Museum of Natural and
4 Cultural History and pursuant to Act 291, Session Laws of Hawaii
5 2007, the Friends of Iolani Palace was designated as the State
6 of Hawaii Museum of Monarchy History. The legislature also
7 finds that the intent of these designations was to provide the
8 museums with a reliable funding source so that they would no
9 longer be dependent on grants and private donations. The
10 legislature further finds that during the regular session of
11 2022, \$7,500,000 was appropriated to the State of Hawaii Museum
12 of Natural and Cultural History and \$2,000,000 was appropriated
13 to the State of Hawaii Museum of Monarchy History.

14 The legislature believes that to ensure that the operations
15 of the museums are in alignment with the State's vision, two ex
16 officio, nonvoting members, to be selected from certain state



1 agencies, should be added to the board of directors of each
2 museum.

3 The purpose of this Act is to:

4 (1) Require that the State of Hawaii Museum of Natural and
5 Cultural History and State of Hawaii Museum of
6 Monarchy History boards of directors each include two
7 ex officio, nonvoting members representing state
8 agencies that are in direct partnership with each
9 museum on projects that benefit the State;

10 (2) Require the State of Hawaii Museum of Natural and
11 Cultural History to submit an annual report to the
12 legislature;

13 (3) Establish standards and conditions that the State of
14 Hawaii Museum of Natural and Cultural History must
15 meet to receive state funds; and

16 (4) Appropriate funds for the renovation of Bishop Hall.

17 SECTION 2. Section 6E-35, Hawaii Revised Statutes, is
18 amended to read as follows:

19 **"§6E-35 Iolani Palace.** (a) The official designation of
20 the palace of the former monarchs of Hawaii shall be Iolani
21 Palace.



1 (b) The official designation of the Friends of Iolani
2 Palace shall be the State of Hawaii Museum of Monarchy
3 History~~[-]~~; provided that effective July 1, 2024, in order for
4 the designation to remain in effect, the board of directors
5 shall include two ex officio, nonvoting members, to be selected
6 by the comptroller, representing state agencies that are in
7 direct partnership with the State of Hawaii Museum of Monarchy
8 History on projects that benefit the State of Hawaii.

9 (c) The qualifying standards and conditions related to the
10 receipt of funds under chapter 42F shall not apply to funds
11 received by the State of Hawaii Museum of Monarchy History;
12 provided that if the museum contracts with a recipient or
13 provider, then the qualifying standards, conditions, and other
14 provisions of chapter 42F shall apply to the recipient or
15 provider and the contract.

16 ~~[-e)]~~ (d) To receive state funds, the State of Hawaii
17 Museum of Monarchy History shall:

18 (1) Be licensed or accredited, in accordance with federal,
19 state, or county statutes, rules, or ordinances, to
20 conduct the activities or provide the services for
21 which funds are appropriated;



- 1 (2) Comply with all applicable federal and state laws
2 prohibiting discrimination against any person on the
3 basis of race, color, national origin, religion,
4 creed, sex, age, sexual orientation, or disability;
- 5 (3) Agree not to use the funds for entertainment or
6 lobbying activities;
- 7 (4) Be incorporated under the laws of the State;
- 8 (5) Have bylaws or policies that describe the manner in
9 which the activities or services for which a grant is
10 awarded shall be conducted or provided;
- 11 (6) Have been determined and designated to be a tax-exempt
12 organization by the Internal Revenue Service; and
- 13 (7) Have a governing board whose ~~members~~ membership
14 shall include the ex officio, nonvoting members
15 representing certain state agencies pursuant to
16 subsection (b), and other members, who shall have no
17 material conflict of interest and serve without
18 compensation.
- 19 ~~(d)~~ (e) The comptroller and state auditor shall have the
20 authority to examine the use of funds appropriated to the State
21 of Hawaii Museum of Monarchy History.



1 [~~e~~] (f) The State of Hawaii Museum of Monarchy History
2 shall provide to the legislature an annual report no later than
3 twenty days prior to the convening of each regular session,
4 which shall include an explanation of the facility maintenance
5 and other functions accomplished by state fund expenditures in
6 the previous fiscal year."

7 SECTION 3. Section 6E-40, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§6E-40 Bernice Pauahi Bishop Museum.** (a) The official
10 designation of the Bernice Pauahi Bishop Museum shall be the
11 State of Hawaii Museum of Natural and Cultural History~~[-]~~;
12 provided that effective July 1, 2024, in order for the
13 designation to remain in effect, the board of directors shall
14 include two ex officio, nonvoting members, to be selected by the
15 comptroller, representing state agencies and departments that
16 are in direct partnership with the State of Hawaii Museum of
17 Natural and Cultural History on projects that benefit the State
18 of Hawaii.

19 (b) The qualifying standards and conditions related to the
20 receipt of funds contained in chapter 42F shall not apply to
21 funds received by the State of Hawaii Museum of Natural and



1 Cultural History; provided that if the museum in turn contracts
2 with a recipient or provider, then the qualifying standards,
3 conditions, and other provisions of chapter 42F shall apply to
4 the recipient or provider and the contract.

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

11 (d) To receive state funds, the State of Hawaii Museum of
12 Natural and Cultural History shall:

13 (1) Be licensed or accredited, in accordance with federal,
14 state, or county statutes, rules, or ordinances, to
15 conduct the activities or provide the services for
16 which funds are appropriated;

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



- 1 (3) Agree not to use the funds for entertainment or
- 2 lobbying activities;
- 3 (4) Be incorporated under the laws of the State;
- 4 (5) Have bylaws or policies that describe the manner in
- 5 which the activities or services for which a grant is
- 6 awarded shall be conducted or provided;
- 7 (6) Have been determined and designated to be a tax-exempt
- 8 organization by the Internal Revenue Service; and
- 9 (7) Have a governing board whose membership shall include
- 10 the ex officio, nonvoting members representing certain
- 11 state agencies pursuant to subsection (a), and other
- 12 members, who shall have no material conflict of
- 13 interest and serve without compensation.
- 14 (e) The comptroller and state auditor shall have the
- 15 authority to examine the use of funds appropriated to the State
- 16 of Hawaii Museum of Natural and Cultural History."

17 SECTION 4. Section 6E-61, Hawaii Revised Statutes, is

18 amended to read as follows:

19 "[~~§~~6E-61~~§~~] **Biological survey; designation.** A Hawaii

20 biological survey is established and designated as a program of

21 the State of Hawaii [~~museum of natural and cultural history.~~]



1 Museum of Natural and Cultural History. The survey shall
2 consist of an ongoing natural history inventory of the Hawaiian
3 archipelago to locate, identify, evaluate, and maintain the
4 reference collections of all native and non-native species of
5 flora and fauna within the State for a wide range of uses. The
6 survey shall coordinate with and complement the work of the
7 Hawaii heritage program, established by chapter 195, which
8 manages data on rare native plants, animals, and natural
9 communities throughout the State. To expand the use, control,
10 and knowledge of biological species, the survey shall also be
11 conducted in coordination with the existing databases of the
12 department of agriculture, the department of land and natural
13 resources, the [University] university of Hawaii, and other
14 appropriate organizations."

15 SECTION 5. In accordance with section 9 of article VII of
16 the Hawaii State Constitution and sections 37-91 and 37-93,
17 Hawaii Revised Statutes, the legislature has determined that the
18 appropriations contained in Act 164, Regular Session of 2023,
19 and this Act will cause the state general fund expenditure
20 ceiling for fiscal year 2024-2025 to be exceeded by \$
21 or per cent. This current declaration takes into account



1 general fund appropriations authorized for fiscal year 2024-2025
2 in Act 164, Regular Session of 2023, and this Act only. The
3 reasons for exceeding the general fund expenditure ceiling are
4 that:

- 5 (1) The appropriation made in this Act is necessary to
6 serve the public interest; and
- 7 (2) The appropriation made in this Act meets the needs
8 addressed by this Act.

9 SECTION 6. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$ or so much
11 thereof as may be necessary for fiscal year 2024-2025 for the
12 renovation of Bishop Hall.

13 The sum appropriated shall be expended by the state
14 foundation on culture and the arts for the purposes of this Act.

15 SECTION 7. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 8. This Act shall take effect on July 1, 2050.



Report Title:

State of Hawaii Museum of Natural and Cultural History; State of Hawaii Museum of Monarchy History; Report; Standards and Conditions for Receipt of Funds; Appropriation; Expenditure Ceiling

Description:

Requires that the State of Hawaii Museum of Natural and Cultural History and the State of Hawaii Museum of Monarchy History boards of directors each include two ex officio, nonvoting members, to be selected by the comptroller. Requires the State of Hawaii Museum of Natural and Cultural History to submit an annual report to the Legislature. Establishes standards and conditions that the State of Hawaii Museum of Natural and Cultural History must meet to receive state funds. Appropriates funds. Effective 7/1/2050. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

