
A BILL FOR AN ACT

RELATING TO THE CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE
BETWEEN EAST AND WEST, INC.

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

1 SECTION 1. The legislature finds that the Center for
2 Cultural and Technical Interchange Between East and West Act of
3 1960, Public Law 86-472, authorized the establishment in Hawaii
4 of a center for cultural and technical interchange between East
5 and West, and Act 82, Session Laws of Hawaii 1975 (Act 82),
6 established an educational non-profit public corporation, the
7 Center for Cultural and Technical Interchange Between East and
8 West, Inc., better known and referred to as the "East-West
9 Center", to administer and operate the center. Act 82 specifies
10 the purposes of the East-West Center, which include, among other
11 things, the promotion of better relations and understanding
12 between the United States and the nations of the East through
13 the administration and operation of the East-West Center as an
14 educational institution operating in furtherance of the
15 objectives of Public Law 86-472 and the promotion, among the
16 nations of the East and West, of the use of the East-West Center



1 by qualified persons for cooperative study, training, and
2 research in matters of East-West significance, thus leading to
3 better relations and understanding as to such matters.

4 The legislature further finds that the East-West Center has
5 become a pivotal institution in fostering understanding and
6 cooperation between the United States and the nations of Asia
7 and the Pacific. Hawaii's unique geographical location and
8 multicultural heritage make it an ideal location for promoting
9 international relations, particularly within the Asia-Pacific
10 region. For over six decades, the East-West Center has
11 significantly contributed to the State's role as a bridge
12 between the East and West, enhancing the State's position in
13 international affairs.

14 The legislature further finds that the East-West Center's
15 programs in research, education, and exchange have directly
16 benefited the State's economy, culture, and diplomatic
17 relations. While the federal government has provided
18 significant funding to the East-West Center, this federal
19 support has fluctuated over the years. The legislature
20 recognizes that the center would benefit from regular,
21 predictable state resources to support the development of



1 programs and initiatives that align with the State's strategic
2 goals in international relations, education, and economic
3 development.

4 The legislature finds that the East-West Center has served
5 and continues to serve a public purpose of promoting better
6 relations and understanding between the United States and the
7 nations of the East and that granting authorization to the East-
8 West Center to receive appropriations of state general revenues,
9 exempt from the requirements of chapter 42F, Hawaii Revised
10 Statutes, complies with the public purpose requirement of
11 article VII, section 4, of the Hawaii State Constitution.

12 Therefore, the purpose of this Act is to:

- 13 (1) Designate the Center for Cultural and Technical
14 Interchange Between East and West, Inc., as the State
15 of Hawaii Center for Cultural and Technical
16 Interchange Between East and West, Inc.;
- 17 (2) Exempt general revenues of the State of Hawaii
18 received by the East-West Center from the requirements
19 of chapter 42F, Hawaii Revised Statutes; and
- 20 (3) Establish criteria the East-West Center must meet in
21 order to receive state funds.



1 SECTION 2. Chapter 201, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§201- East-West Center. (a) The official designation
5 of the Center for Cultural and Technical Interchange Between
6 East and West, Inc., a Hawaii educational non-profit public
7 corporation established in Hawaii pursuant to Act 82, Session
8 Laws of Hawaii 1975, shall be the State of Hawaii Center for
9 Cultural and Technical Interchange Between East and West, Inc.
10 The qualifying standards and conditions related to the receipt
11 of funds under chapter 42F shall not apply to funds received by
12 the State of Hawaii Center for Cultural and Technical
13 Interchange Between East and West, Inc.; provided that if the
14 center contracts with a recipient or provider, then the
15 qualifying standards, conditions, and other provisions of
16 chapter 42F shall apply to the recipient or provider and the
17 contract.

18 (b) To receive state funds, the State of Hawaii Center for
19 Cultural and Technical Interchange Between East and West, Inc.,
20 shall:



- 1 (1) Be licensed or accredited, in accordance with federal,
- 2 state, or county statutes, rules, or ordinances, to
- 3 conduct the activities or provide the services for
- 4 which funds are appropriated;
- 5 (2) Comply with all applicable federal and state laws
- 6 prohibiting discrimination against any person on the
- 7 basis of race, color, national origin, religion,
- 8 creed, sex, age, sexual orientation, or disability;
- 9 (3) Agree not to use the funds for entertainment or
- 10 lobbying activities;
- 11 (4) Be incorporated under the laws of the State;
- 12 (5) Have bylaws or policies that describe the manner in
- 13 which the activities or services for which funds are
- 14 awarded shall be conducted or provided;
- 15 (6) Have been determined and designated to be a tax-exempt
- 16 organization by the Internal Revenue Service; and
- 17 (7) Have a governing board whose members shall have no
- 18 material conflict of interest and serve without
- 19 compensation.



1 (c) The comptroller and state auditor may examine the use
2 of funds appropriated to the State of Hawaii Center for Cultural
3 and Technical Interchange Between East and West, Inc."

4 SECTION 3. This Act and its designation of state support
5 shall not impinge upon the autonomy of the State of Hawaii
6 Center for Cultural and Technical Interchange Between East and
7 West, Inc., nor imply state control over its programs or
8 policies, except as specifically provided for in section 2 of
9 this Act.

10 SECTION 4. New statutory material is underscored.

11 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

East-West Center; Center for Cultural and Technical Interchange Between East and West, Inc.; Chapter 42F Exemption; General Fund Appropriations

Description:

Designates the Center for Cultural and Technical Interchange Between East and West, Inc., as the State of Hawaii Center for Cultural and Technical Interchange Between East and West, Inc. Exempts general fund appropriations to the State of Hawaii Center for Cultural and Technical Interchange Between East and West, Inc from the requirements of chapter 42F, Hawaii Revised Statutes. Effective 7/1/3000. (HD1)

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