
A BILL FOR AN ACT

RELATING TO THE HAWAII SYMPHONY ORCHESTRA.

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

1 SECTION 1. The legislature finds that the Hawaii Symphony
2 Orchestra serves a public purpose through free performances at
3 parks and outdoor community centers, by providing free admission
4 for public school employees and students to shows through
5 department of education programming, and by showcasing young
6 musicians and performing side-by-side with the Hawaii Youth
7 Symphony. These community initiatives exemplify the Hawaii
8 Symphony Orchestra's service and dedication to the public.

9 The legislature further finds that Act 382, Session Laws of
10 Hawaii 1987, established the Honolulu symphony endowment fund to
11 provide financial support to the Honolulu Symphony, the previous
12 name for the Hawaii Symphony Orchestra. The legislature
13 additionally finds that Act 175, Session Laws of Hawaii 1995
14 (Act 175), clarified that the legislative intent for the income
15 and capital gains of the State of Hawaii endowment fund, a re-
16 naming of the Honolulu symphony endowment fund, was to be used
17 for the production of music by an Oahu-based symphony orchestra.



1 The legislature understands that the State of Hawaii endowment
2 fund has been transferred from the Honolulu Symphony to the
3 Hawaii Symphony Orchestra since the passage of Act 175.

4 The legislature notes that designating the Hawaii Symphony
5 Orchestra as the "State of Hawaii Symphony Orchestra" will
6 enable the Hawaii Symphony Orchestra to regularly obtain state
7 funds to augment the moneys from the State of Hawaii endowment
8 fund and help cover its general operating costs in exchange for
9 other services to the State, to be mutually negotiated. Because
10 of the Hawaii Symphony Orchestra's legacy of providing the State
11 with public benefits for over a century, the legislature
12 concludes that exempting appropriations of state general
13 revenues to the Hawaii Symphony Orchestra from the requirements
14 of chapter 42F, Hawaii Revised Statutes, complies with the
15 public purpose requirements of article VII, section 4, of the
16 Hawaii State Constitution.

17 Accordingly, the purpose of this Act is to designate the
18 Hawaii Symphony Orchestra as the "State of Hawaii Symphony
19 Orchestra"; exempt state funds it receives from chapter 42F,
20 Hawaii Revised Statutes; and appropriate funds for its general
21 operating costs.



1 SECTION 2. Chapter 9, Hawaii Revised Statutes, is amended
2 by adding a new section to part I to be appropriately designated
3 and to read as follows:

4 "§9- Hawaii Symphony Orchestra; designation; funding.

5 (a) The Hawaii Symphony Orchestra shall be designated the State
6 of Hawaii Symphony Orchestra.

7 (b) The qualifying standards and conditions related to the
8 receipt of state funds contained in chapter 42F shall not apply
9 to state funds received by the State of Hawaii Symphony
10 Orchestra; provided that if the State of Hawaii Symphony
11 Orchestra, in turn, contracts with a recipient or provider, then
12 the qualifying standards, conditions, and other provisions of
13 chapter 42F shall apply to the recipient or provider and the
14 contract.

15 (c) The designation of the Hawaii Symphony Orchestra as
16 the State of Hawaii Symphony Orchestra shall not impinge on the
17 autonomy of the Hawaii Symphony Orchestra, nor imply state
18 control over its programs or policies, except as specifically
19 provided in this section.



1 (d) The comptroller and legislative auditor may examine
2 the use of any state funds appropriated pursuant to this section
3 and shall report any findings to the legislature.

4 (e) The president and chief executive officer of the State
5 of Hawaii Symphony Orchestra shall provide a report to the
6 legislature no later than twenty days prior to the convening of
7 each regular session. At a minimum, the annual report shall
8 include an explanation of the operations, maintenance, and other
9 functions accomplished using state fund expenditures in the
10 previous fiscal year."

11 SECTION 3. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$ or so
13 much thereof as may be necessary for fiscal year 2026-2027 for
14 the general operating costs of the State of Hawaii Symphony
15 Orchestra, including:

- 16 (1) Operations and maintenance;
- 17 (2) Any advice, consultations, or services provided free
18 of charge to state agencies, including:
 - 19 (A) Free admission for public school faculty, staff,
20 and students who attend shows through department
21 of education programs; and



1 (B) Consultants for purposes of setting standards in
2 the symphony's educational programming and public
3 activities; and

4 (3) Matching funds for any performance that is open to the
5 public and held at a state facility or institution or
6 on state property.

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

9 SECTION 4. New statutory material is underscored.

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



Report Title:

State of Hawaii Symphony Orchestra; State Foundation on Culture and the Arts; Designation; Funding; Appropriation

Description:

Designates the Hawaii Symphony Orchestra as the State of Hawaii Symphony Orchestra. Requires annual reports to the Legislature. Exempts state funds received by the State of Hawaii Symphony Orchestra from chapter 42F, Hawaii Revised Statutes. Appropriates funds. Effective 7/1/3000. (HD1)

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