

ACT 202

S. B. NO. 622

**A Bill for an Act Relating to the Hawaii Foundation for History and the
Humanities**

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 6-16, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 6-16 Statement of purpose. The purpose of this subchapter is to create a non-profit corporation for historic preservation, research, restoration, presentation, museum activities, and support programs; and in cooperation with and in assistance to the department of land and natural resources and other state agencies to receive sites, buildings, and objects significant in Hawaii’s history and culture, to preserve and administer them for public benefits; to accept, hold, and administer gifts, securities, grants, scholarships, endowments, private bequests or other property of whatsoever character for a comprehensive historical preservation and/or museum’s program.

This agency shall be the depository of all resources which are made available or offered of desirable land, historical collections, and donations made by groups and persons as gifts to the state to help insure the Hawaiian heritage.”

SECTION 2. Section 6-16.2, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 6-16.2 Powers and duties. The Hawaii Foundation for History and the Humanities shall have the following powers and duties:

- (1) To have succession until dissolved by act of the Hawaii State Legislature, in which event title to the properties of the Hawaii Foundation, both real and personal, shall, insofar as consistent with existing contractual obligations and subject to all other legally enforceable claims or demands by or against the Hawaii Foundation, pass to and become vested in the State of Hawaii;
- (2) To sue or be sued in its corporate name;
- (3) To adopt, alter, and use a corporate seal;
- (4) To adopt a constitution and to make such bylaws, rules and regulations, not inconsistent with the laws of the State of Hawaii, as it deems necessary for the administration of its functions, including among other matter, bylaws, rules and regulations governing visitation to historic properties, museums and other facilities under its control, administration of corporate funds, and the organization and procedure of the board of trustees;
- (5) To accept, hold, and administer funds and properties from private or governmental agencies for the purposes for which the Hawaii Foundation is created and in accordance with such conditions as the transferring agency or the legislature may prescribe under the law;
- (6) To accept, hold, and administer gifts and bequests of money, securities, or other personal property of whatsoever character, in trust, for the purposes for which the Hawaii Foundation is created. Unless otherwise restricted by the terms of the bequest of gift, the Hawaii Foundation is authorized to sell, exchange, or otherwise dispose of, and to invest or reinvest in such investments as it may determine from time to time the moneys, securities, or other property given or bequeathed to it. The principal of such corporate funds, together with the income therefrom and all other revenues received by it

- from any source whatsoever, shall be placed in such depositories as the Hawaii Foundation shall determine and shall be subject to expenditure by the Hawaii Foundation for its corporate purposes;
- (7) To acquire by gifts, devise, purchase, and to hold in trust real property for the State and for the people of Hawaii unless otherwise restricted by the terms of the gift or devise, to encumber, convey, or otherwise dispose of any real property, or any estate or interest therein with the exception that no designated historic site or monument may be encumbered, conveyed, or disposed of without Legislative approval, as may be necessary and proper in carrying into effect the purposes of the Hawaii Foundation;
 - (8) To conduct research, studies and investigations in the fields of history and the humanities, and to make, publish, and distribute the results thereof;
 - (9) To coordinate and correlate activities and projects of the Hawaii Foundation with the work of the University of Hawaii, the department of land and natural resources, the foundation on culture and the arts and other state agencies to further the purposes of this chapter;
 - (10) To review the work of the department of land and natural resources and to collaborate with it on its functions under chapter 6, pertaining to historical objects and sites, and to review such surveys and historic preservation plans as may be required, and to approve properties for nomination to the National Register as provided for in the Historic Preservation Act of 1966, Public Law 89-665;
 - (11) To establish within the Hawaii Foundation, a review board for the Hawaii register of historic places, which meets the requirements of Public Law 89-665, to evaluate and nominate historical properties to the National Register of Historic Places pursuant to Public Law 89-665 and to order and enter historical and archeological sites into the Hawaii register of historical places on the basis of their value to Hawaii's heritage. The review board shall be appointed by the board of trustees of the Hawaii Foundation and no more than two members of the board of trustees shall be appointed to the review board. Trustee-members of the review board may be reimbursed at the same rate as other members of the review board for official duties performed while serving on the review board;
 - (12) To enter into contracts and to execute all instruments necessary and appropriate to carry out the purposes of the foundation;
 - (13) To designate particular places, as places of historic interest, and to take such action, including erection of a sign or marker, as may be appropriate for public recognition and appreciation of such site;
 - (14) To approve all designations of particular places as places of historical interest;
 - (15) To establish a center responsible for salvage research in areas designated by the department of land and natural resources as endangered by the lease, sale, or use of public or private lands under its jurisdiction; and

- (16) To establish and maintain an inventory, and certification and evaluation system for portable artifacts significant to Hawaii's cultural heritage."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$200,000, or so much thereof as may be necessary, to be expended by the Board of Trustees of the Hawaii Foundation for History and the Humanities for the following purposes:

- (a) \$150,000 for the fiscal biennium 1971-73, for operating expenses as well as to carry out the purposes set up in its establishing legislation; and
(b) \$50,000 for the purposes of this Act.

SECTION 4. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 5. This Act shall take effect upon its approval.

(Approved June 21, 1971.)

*Edited accordingly.