

ACT 323

H.B. NO. 3658

A Bill for an Act Relating to Veterans War Memorials.

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

SECTION 1. The memorial to the veterans of the Korean and Vietnam conflicts shall be constructed on the Ewa lawn of the state capitol among the trees near the Richards Street border, bounded on one side by the covered stairway (with appropriate setback), Richards Street (with appropriate setback), and Bere-tania Street (with appropriate setback). The height of the memorial shall not exceed 20 feet, keeping in proportion with other statuary located in the immediate area. The design of the memorial shall utilize the natural assets of the site, with secluded areas of wall and trees for purposes of remembrance and meditation.

SECTION 2. The veterans memorial commission established pursuant to section 6E-44, Hawaii Revised Statutes, shall have ninety days after the effective date of this Act to finalize a design for the memorial that meets the criteria set forth in section 1, and to submit the design to the veterans memorial review board established in section 3. In formulating its design for the memorial, the commission shall consider the suitability of the proposals of the seven finalists of the original design competition to the criteria set forth in section 1, and shall consult with all interested veterans' and community groups. If the commission fails to submit a design to the review board within ninety days after the effective date of this Act, or ceases its work prior to that deadline, then the department of accounting and general services shall submit a final design as provided in section 3.

SECTION 3. There is established within the department of accounting and general services for administrative purposes only, a temporary veterans memorial review board comprised of five members. Three of the members shall be appointed by the governor, one member shall be appointed by the speaker of the house, and one member shall be appointed by the president of the senate. Members appointed to the board shall at least include veterans of the Korean and Vietnam conflicts, members with expertise in the field of architecture, and a representative

from neighborhood board number 13.

The review board shall elect a chairperson from among its members, who shall serve without pay. Sections 26-34, 26-35, and 26-41, Hawaii Revised Statutes, shall not apply to the board.

The review board's function shall be to monitor and review the work of the commission in developing the design and to approve or disapprove the final design of the memorial submitted by the commission or the department of accounting and general services in accordance with section 2. The review board's decision shall be rendered within seven days of a timely submission by the commission. Approval shall be predicated upon a finding that the design and its selection conform to the criteria set forth in sections 1 and 2.

If the board disapproves the submitted design, or the commission ceases its work or fails to meet the deadline established in section 2, then the department of accounting and general services shall submit a final design within thirty days after the date of disapproval or the date it assumes responsibility from the commission.

The board shall cease to exist following its approval of a final design for the memorial.

SECTION 4. The department of land and natural resources shall solicit the participation of all veterans' organizations, including veterans of the Korean and Vietnam conflicts, in the planning and design of the war memorial hall within the Aiea (Rainbow) bay state recreation area, as proposed in the Aiea bay state recreation area conceptual master plan. This participation shall supplement input provided by community groups and members relating to park development. Use of the memorial hall by the community and veterans is intended to foster a better understanding of the sacrifices of veterans and their fallen comrades, and the design of the hall shall appropriately reflect this intent.

SECTION 5. Any law to the contrary notwithstanding, the appropriation under Act 316, Session Laws of Hawaii 1989, Section 222 as amended and renumbered by Act 299, Session Laws of Hawaii 1990, Section 6 in the amount indicated or balance thereof is hereby lapsed:

Item No. DEF112-1A in the amount of \$840,000C

SECTION 6. The director of finance is authorized to issue general obligation bonds in the sum of \$840,000, or so much thereof as may be necessary, and the same sum, or so much thereof as may be necessary, is appropriated for fiscal year 1992-1993, to carry out the purposes of this Act. The sum appropriated shall be expended by the department of accounting and general service for plans, land acquisition, design, construction and equipment for a Korean and Vietnam conflicts memorial on Oahu.

SECTION 7. Any law or any provision of this Act to the contrary notwithstanding, the appropriation made for the capital investment project authorized in this Act shall not lapse at the end of the fiscal year for which the appropriation is made; provided that all appropriations made to be expended in fiscal year 1992-93 which are unencumbered as of June 30, 1994, shall lapse as of the date.

SECTION 8. This Act shall take effect upon its approval; provided that section 6 shall take effect on July 1, 1992.

(Became law on July 7, 1992, without the Governor's signature, pursuant to Art. III, §16, State Constitution.)