

ACT 102

H.B. NO. 662

A Bill for an Act Relating to the Hawaii Sports Hall of Fame.

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

SECTION 1. The legislature finds that sports have long been an integral part of the lives of the citizens of the State of Hawaii. The history of sports in Hawaii is replete with the outstanding achievements of people from all walks of life. Sports reflect the human drama, emphasize fair play and the goal of excellence, and provide a worthy source of inspiration and reflection for all. The establishment of a repository of the history of Hawaii's outstanding local sports figures will preserve their contributions and serve as a focal point for Hawaii's sports industry. A sports hall of fame will commemorate the past and provide inspiration for the future.

The legislature further finds that Governor Benjamin Cayetano issued Executive Order No. 97-03 on June 9, 1997, which authorized the establishment of a commission of local business and community leaders serving without compensation to plan the establishment of a permanent Hawaii sports hall of fame. Under the

order, the Hawaii sports hall of fame is to be housed in Aloha stadium, funded through private contributions, and designed to commemorate sports legends of Hawaii who have made significant contributions in the field of sports. The order also created a trust account as a separate account of the stadium special fund into which contributions to the Hawaii sports hall of fame are to be deposited.

However, the commission was originally scheduled to remain in existence for only two years and end in June of 1999, and the continued existence of the commission is dependent on the passage of a concurrent resolution by the legislature, as provided by section 26-41, Hawaii Revised Statutes.

The purpose of this Act is to designate the Hawaii Sports Hall of Fame as the State of Hawaii museum of sports history in the islands.

SECTION 2. Chapter 109, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§109- Hawaii Sports Hall of Fame. (a) The official designation of the Hawaii Sports Hall of Fame, a duly registered nonprofit corporation, shall be the State of Hawaii museum of sports history in the islands. The qualifying standards and conditions related to the receipt of funds contained in chapter 42F shall not apply to the funds received by the State of Hawaii museum of sports history in the islands; provided that if the museum in turn contracts with a recipient or provider, then the qualifying standards, conditions, and other provisions of chapter 42F shall apply to the recipient or provider and the contract; and provided further that a donation of money, services, goods, or food to the Hawaii Sports Hall of Fame shall not be construed to be prohibited or restricted under this section.

(b) The Hawaii Sports Hall of Fame shall serve as a repository of sport memorabilia of notable Hawaii athletes, provided by or acquired from any source.

(c) The Hawaii Sports Hall of Fame may select one or more sites for a museum, with preference given to a recreational facility having convenient access to tourists.

(d) Ownership to a piece of memorabilia displayed in the museum shall remain with the athlete, the athlete’s devise or estate, or the donor; provided that the State shall not be liable for damage or theft of the memorabilia; provided further that the museum shall take appropriate measures to preserve and maintain the memorabilia.”

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon its approval.

(Approved May 30, 2003.)

Note

1. Edited pursuant to HRS §23G-16.5.