
A BILL FOR AN ACT

RELATING TO THE PERFORMANCE ARTS.

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

1 SECTION 1. The legislature finds that the programs of the
2 state foundation on culture and the arts are one of the primary
3 ways in which art in Hawaii is made available to the public, and
4 interest in the arts is encouraged. Among the foundation's
5 most successful efforts is its implementation of the art in
6 public places program, which has provided public venues for the
7 display of professional and student artwork. The legislature
8 finds, however, that the program does impose certain constraints
9 on the types of art that are publicly featured, and that genres
10 such as theater, music, and dance may not be given an equal
11 share in the public's awareness through the programs of the
12 state foundation on culture and the arts.

13 The purpose of this Act is to integrate performance arts
14 into the types of arts made available to the public through the
15 state foundation on culture and the arts, by requiring the
16 foundation to develop a program for performance art that gives
17 preference to performers from the community, and emphasizes
18 student performance.



1 SECTION 2. Section 9-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§9-3 Duties.** The foundation shall:

4 (1) Assist in coordinating the plans, programs, and
5 activities of individuals, associations, corporations,
6 and agencies concerned with the preservation and
7 furtherance of culture and the arts and history and
8 the humanities;

9 (2) Establish written standards and criteria by which
10 grant contracts shall be evaluated;

11 (3) Appraise the availability, adequacy, and accessibility
12 of culture and the arts and history and the humanities
13 to all persons throughout the State and devise
14 programs whereby culture and the arts and history and
15 the humanities can be brought to those who would
16 otherwise not have the opportunity to participate;

17 (4) Stimulate, guide, and promote culture and the arts and
18 history and the humanities throughout the State;

19 (5) Devise and recommend legislative and administrative
20 action for the preservation and furtherance of culture
21 and the arts and history and the humanities;



- 1 (6) Study the availability of private and governmental
2 grants for the promotion and furtherance of culture
3 and the arts and history and the humanities;
- 4 (7) Through its executive director:
- 5 (A) Administer funds allocated by grant, gift, or
6 bequest to the foundation; accept, hold,
7 disburse, and allocate funds that may become
8 available from other governmental and private
9 sources; provided that all those funds shall be
10 disbursed or allocated in compliance with any
11 specific designation stated by the donor and in
12 the absence of any designation, the funds shall
13 be disbursed or allocated for the promotion and
14 furtherance of culture and the arts and history
15 and the humanities; and
- 16 (B) Accept, hold, disburse, and allocate public funds
17 that are made available to the foundation by the
18 legislature for disbursement or allocation,
19 pursuant to the standards and procedures
20 established in part II, for the promotion and
21 furtherance of culture and the arts and history
22 and the humanities;



- 1 (8) Submit an annual report with recommendations to the
2 governor and legislature, prior to February 1, of each
3 year. Annual reports shall include the total number
4 and amount of gifts and other grants and income
5 received, payroll disbursements, contracts entered
6 into, and progress and accomplishments made during the
7 year, including the efforts of the Hawaii arts
8 education partners and its progress in implementing
9 the Hawaii arts education strategic plan and the
10 accomplishments of the art in public places and
11 relocatable works of art programs and the state art
12 museum;
- 13 (9) Convene the Hawaii arts education partners, which is
14 composed of the department of education, the colleges
15 of education and arts and humanities of the University
16 of Hawaii at Manoa, the Hawaii Association of
17 Independent Schools, and the Hawaii Alliance for Art
18 Education, to fully implement the terms of the Hawaii
19 arts education strategic plan;
- 20 (10) Display student art works in public buildings, sponsor
21 student art displays, promote arts education, and in



1 other ways encourage the development of creative
2 talent among the young people of Hawaii;

3 (11) Develop a program that prioritizes performance art,
4 including theater, music, and dance, and:

5 (A) Gives preference to performers from the
6 community;

7 (B) Emphasizes student performance;

8 (C) Considers and uses locations such as parks and
9 gymnasiums administered by state agencies when
10 selecting venues for performances; and

11 (D) Contracts with local theaters to stage student
12 performances in the event that a school is unable
13 to provide an appropriate venue;

14 [~~(11)~~] (12) In cooperation with qualified organizations,
15 conduct research, studies, and investigations in the
16 fields of ethnohistory and the humanities:

17 (A) Make, publish, and distribute works documenting
18 the contributions of individual ethnic groups in
19 their relationship to one another and to the
20 whole population of Hawaii;

21 (B) Place ethnohistorical and cultural materials
22 developed by the foundation or received by the



1 foundation as gifts and donations in public
2 archives, libraries, and other suitable
3 institutions accessible to the public; and

4 (C) Maintain a register of the location of such
5 materials;

6 [~~(12)~~] (13) Cooperate with and assist the department of land
7 and natural resources and other state agencies in
8 developing and implementing programs relating to
9 historic preservation, research, restoration, and
10 presentation, as well as museum activities;

11 [~~(13)~~] (14) Establish an individual artist fellowship
12 program to encourage artists to remain and work in
13 Hawaii and to reaffirm the importance of Hawaii's
14 artists and their cultural and economic contributions
15 to the State by:

16 (A) Recognizing and honoring Hawaii's exceptionally
17 talented visual and performing artists for their
18 outstanding work in and commitment to the arts;
19 and

20 (B) Enabling these artists to further their artistic
21 goals;



1 ~~(14)~~ (15) In consultation with the comptroller and
2 affected agencies and departments, administer the art
3 in public places and relocatable works of art programs
4 established pursuant to section 103-8.5; and

5 ~~(15)~~ (16) Administer the operations of the state art
6 museum established pursuant to section 9-22."

7 SECTION 3. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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Report Title:

State Foundation on Culture and the Arts; Performance Arts

Description:

Requires the State Foundation on Culture and Arts to develop a program for performance art such as theater, music, and dance, emphasizing performances by students and community members. Venues administered by state agencies are to be considered as possible sites for program performances.

