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# A BILL FOR AN ACT

RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS.

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

1           SECTION 1. The legislature finds that the state foundation  
2 on culture and the arts was established by the legislature in  
3 1965, to promote, perpetuate, preserve, and encourage culture  
4 and the arts, history, and the humanities as central to the  
5 quality of life of the people of Hawaii.

6           Since its inception, the foundation has provided millions  
7 of dollars to arts and cultural programming statewide, and the  
8 art in public places program, established in 1967, was the first  
9 such program in the nation created to help local artists through  
10 a separate method of funding the arts by accessing one per cent  
11 of the construction cost of new state buildings. Currently, the  
12 foundation is responsible for:

13           (1) The artists in the schools program, which provides  
14 opportunities for K-12 public school students to work  
15 with professional artists (established in 1970);

16           (2) The folk arts program, initiated through a grant from  
17 the National Endowment for the Arts, to promote and



1 perpetuate traditional folk arts throughout the state  
2 (1983);

3 (3) The works of art special fund, which created a non-  
4 lapsing fund allowing for the long-term planning and  
5 completion of public art projects (1989);

6 (4) The individual artist fellowship program to recognize  
7 and honor exceptionally talented visual and performing  
8 artists (1993); and

9 (5) The Hawaii state art museum, which opened in the fall  
10 of 2002 with three galleries featuring artworks from  
11 the art in public places collection.

12 In 2008, foundation grants comprised \$249,000 in state  
13 general funds and generated matching funds of \$1,026,000 from  
14 private, federal, and other sources. Artists in the schools  
15 received \$215,000 in general funds and \$225,000 in private  
16 matching funds. Arts first received \$640,391 in state funding  
17 and \$1,828,963 in private and federal funds. These three  
18 programs alone generated \$3,079,963 in non-state revenue to  
19 match \$1,104,391 in state support. It is estimated that these  
20 grants partially funded more than two thousand three hundred  
21 tax-paying jobs and resulted in arts organizations attracting  
22 more than \$12,000,000 to the State's economy.



1           The legislature is concerned that cuts in either program  
2 funding or personnel to support these programs will have a  
3 widespread detrimental effect on Hawaii's diverse array of  
4 culture and arts network of artists, performing arts  
5 organizations, museums, galleries and art retailers, ethnic  
6 neighborhoods, entertainers, musicians, and school arts programs  
7 throughout the state. In addition, Hawaii's unique cultural and  
8 arts offerings play an important role in enhancing the Hawaii  
9 visitor experience and maintaining a steady flow of visitors to  
10 Hawaii's shores from the mainland and overseas.

11           The state foundation on culture and the arts is also the  
12 designated arts agency for partnership with the National  
13 Endowment for the Arts, and in its forty-four-year association,  
14 the foundation has consistently met the National Endowment for  
15 the Arts criteria to receive and distribute federal funds. The  
16 legislature is concerned that the loss of foundation staff may  
17 jeopardize the foundation's ability to satisfactorily meet  
18 federal requirements, which could result in the foundation  
19 losing its status as the National Endowment for the Arts partner  
20 and eliminate the largest source of public funding for arts in  
21 the state.



1       The purpose of this Act is to enhance the fiscal stability  
2 of the state foundation on culture and the arts by authorizing  
3 use of the works of art special fund to fund the position costs  
4 of the executive director of the state foundation on culture and  
5 the arts and any other employee of the foundation, for a  
6 five-year period.

7       SECTION 2. Section 103-8.5, Hawaii Revised Statutes, is  
8 amended by amending subsection (b) to read as follows:

9       "(b) The works of art special fund shall be used solely  
10 for the following purposes:

- 11       (1) Costs related to the acquisition of works of art,  
12       including any consultant or staff services required to  
13       carry out the art in public places and relocatable  
14       works of art programs;
- 15       (2) Site modifications, display, and interpretive work  
16       necessary for the exhibition of works of art;
- 17       (3) Upkeep services, including maintenance, repair, and  
18       restoration of works of art;
- 19       (4) Storing and transporting works of art [-]; and
- 20       (5) Pay the salary, wage, and fringe benefit costs of the  
21       executive director of the state foundation on culture



1           and the arts and any other employee of the foundation  
2           hired pursuant to chapter 9."

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

5           SECTION 4. This Act shall take effect on January 1, 2112;  
6 provided that this Act shall be repealed on June 30, 2015, and  
7 section 103-8.5(b), Hawaii Revised Statutes, shall be reenacted  
8 in the form in which it read on the day before the effective  
9 date of this Act.



**Report Title:**

State Foundation on Culture and the Arts; Staff Funding

**Description:**

Authorizes the use of moneys from the works of Art Special Fund for State Foundation on Culture and the Arts staff costs; sunsets June 30, 2015. Effective January 1, 2112. (HB2317 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

