

Honolulu, Hawaii

March 15, 2010

RE: S.B. No. 2143
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Tourism, Culture, & International Affairs,
to which was referred S.B. No. 2143, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON
CULTURE AND THE ARTS,"

begs leave to report as follows:

The purpose of this bill is to preserve the fiscal stability
of the State Foundation on Culture and the Arts (SFCA) by allowing
moneys from the Works of Art Special Fund (Fund) to finance the
personnel costs of administrative, grants, and contracts personnel
of SFCA for a three-year period. This bill also:

- (1) Requires the Comptroller and SFCA Executive Director to
submit annual reports regarding the calculation and
setting aside of the one percent of capital improvement
appropriations for deposit into the Fund; and
- (2) Repeals the requirement that the Comptroller provide
information to agencies receiving capital improvement
appropriations regarding items that shall be excluded
from the one percent amount.

The SFCA and a concerned individual offered comments.



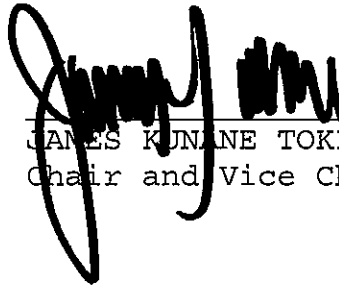
Your Committee has amended this bill by:

- (1) Clarifying that the Fund shall pay for the salary, wage, and fringe benefit costs of the SFCA Executive Director and any other SFCA employee;
- (2) Restoring the Comptroller's:
 - (A) Input in selection of artists and the placement and acceptance of works of art; and
 - (B) Mandate to provide information to an agency receiving a capital improvement appropriation as to which construction cost items are excluded from the one percent of the appropriation that is required to be transferred to the Fund;
- (3) Deleting the requirement that the Comptroller and SFCA Executive Director shall annually report to the Legislature on information relating to the one percent requirement;
- (4) Changing the effective date to January 1, 2112, to encourage further discussion;
- (5) Extending the repeal date from June 30, 2013, to June 30, 2015; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Tourism, Culture, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2143, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2143, S.D. 2, H.D. 1, and be referred to the Committee on Finance.



Respectfully submitted on
behalf of the members of the
Committee on Tourism, Culture,
& International Affairs,



JAMES KUJALA TOKIOKA, Acting
Chair and Vice Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 743-10

Record of Votes of the Committee on Tourism, Culture, & International Affairs

| Bill/Resolution No.: SB 2143, SDZ | Committee Referral: TCI | Date: MAY 8, 2010 | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-----------------------------|------|----------|
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| TCI Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. MANAHAN, Joey (C) | ✓ | | | |
| 2. TOKIOKA, James Kunane (VC) | ✓ | | | |
| 3. BERG, Lyla B. | | | | ✓ |
| 4. CHOY, Isaac W. | ✓ | | | |
| 5. EVANS, Cindy | ✓ | | | |
| 6. McKELVEY, Angus L.K. | ✓ | | | |
| 7. TAKAI, K. Mark | | | | ✓ |
| 8. TSUJI, Clift | ✓ | | | |
| 9. WAKAI, Glenn | | | | ✓ |
| 10. WOOLEY, Jessica | ✓ | | | |
| 11. MARUMOTO, Barbara C. | ✓ | | | |
| TOTAL (11) | 8 | | | 3 |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee member(s)</small> | | | | |
| Vice Chair's or designee's signature: _____ | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO | | | | |