
A BILL FOR AN ACT

RELATING TO HAWAIIAN MUSIC AND DANCE.

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

1 SECTION 1. The legislature finds that the history of
2 Hawaiian music and dance demonstrates a proud statement of
3 cultural identity, and that a compilation of the collective
4 works and memorabilia of exceptional individuals who are highly
5 regarded in their respective fields of endeavor will act to
6 preserve and perpetuate the Hawaiian culture, and promote an
7 appreciation for these art forms.

8 The legislature finds that the establishment of a museum of
9 music, dance, and cultural arts may be facilitated by the
10 creation of an entity to supervise and direct the development of
11 such a museum. Such an endeavor is best accomplished by
12 creating a synergy of individuals and specialists with the
13 experience and knowledge in design, Hawaiian cultural practices,
14 commercial enterprise, and museum conservation that can result
15 in the development of a museum of music, dance, and cultural
16 arts.



1 The purpose of this Act is to establish a museum of music,
2 dance, and cultural arts design committee to prepare
3 specifications for the design of a facility:

4 (1) With exhibit spaces, facilities for demonstrations and
5 performances, and accessory uses such as a gift shop
6 and restaurant;

7 (2) That is experiential in design, encouraging the
8 interaction of practitioners, residents, and visitors;

9 (3) With education in its mission; and

10 (4) That is financially viable and operated by a nonprofit
11 organization.

12 SECTION 2. Chapter 9, Hawaii Revised Statutes, is amended
13 by adding a new part to be appropriately designated and to read
14 as follows:

15 **"PART . MUSEUM OF MUSIC, DANCE, AND CULTURAL ARTS**

16 **§9- Definitions.** As used in this part, the following
17 words and terms shall have the following meanings unless the
18 context indicates a different meaning or intent:

19 "Committee" means the museum of music, dance, and cultural
20 arts design committee.

21 "Dance or Hawaiian dance" includes hula kahiko (ancient or
22 traditional hula), hula 'auana (modern hula), hula noho (sitting



1 hula), hula pahu (hula with drums), hula 'uli'uli (hula with
2 gourds), and hula kuolo (sitting chant dance).

3 "Developer" means any person, partnership, cooperative,
4 firm, nonprofit or for-profit corporation, or public agency
5 possessing the competence, expertise, experience, and resources,
6 including financial, personal, and tangible resources required
7 to effectuate, directly or through other developers, the
8 development of a museum of music, dance, and cultural arts,
9 including planning, design, and construction.

10 "Museum" means the museum of music, dance, and cultural
11 arts.

12 "Music or Hawaiian music" includes oli (chants) of many
13 forms, steel guitar, kiho'alu (slack key), 'ukulele, orchestral
14 forms, the repertoire associated with the Royal Hawaiian Band,
15 big band swing style, himeni (choral singing) with and without
16 instrument accompaniment, leo ki'eki'e (falsetto singing), leo
17 ha'i, and ensemble (duets, trios, quartets, quintets, and other
18 harmonic combinations) singing styles.

19 "Real property" means lands, structures, and interests in
20 land, including lands under water and riparian rights, space
21 rights, and air rights and any and all other things and rights
22 usually included within the term. Real property also means any



1 and all interests in the real property less than full title,
2 such as easements, incorporeal hereditaments and every estate,
3 interest, or right, legal or equitable, including terms for
4 years and liens thereon by way of judgments, mortgages, or
5 otherwise.

6 **§9- Museum of music, dance, and cultural arts design**
7 **committee; established.** (a) There is established the museum of
8 music, dance, and cultural arts design committee consisting of
9 eleven members, which shall be placed within the state
10 foundation on culture and the arts for administrative purposes.

11 (b) Nine public members shall be appointed by the governor
12 as provided in section 26-34. The members shall be selected on
13 the basis of their knowledge, interest, and proven expertise in
14 one or more of the following fields: finance, architecture,
15 Hawaiian dance, Hawaiian music, Hawaiian culture, corporate
16 management, marketing, economics, and visitor industry, and
17 shall represent all islands.

18 The chief executive officer of the office of Hawaiian
19 affairs or the chief executive officer's designee shall serve as
20 a member of the committee.

21 The executive director of the state foundation on culture
22 and the arts shall be the chairperson of the committee.



1 **§9- Purpose; powers.** (a) The committee shall invite
2 developers to prepare plans, specifications, and designs for the
3 construction of the museum, and shall review for approval the
4 proposed museum development plans submitted by developers. The
5 committee shall supervise all development of the museum by a
6 developer pursuant to the development plan approved by the
7 committee.

8 (b) The committee may establish a nonprofit group or
9 select a nonprofit group with the demonstrated qualifications to
10 manage and operate the museum, its concessions or other for-
11 profit business enterprises in a manner that is self-
12 sustaining."

13 SECTION 3. (a) The state foundation on culture and the
14 arts shall convene a task force to develop the museum of
15 Hawaiian music, dance, and cultural arts. The task force shall
16 include the following:

17 (1) Two members of the house of representatives appointed
18 by the speaker;

19 (2) Two members of the senate appointed by the president
20 of the senate;



- 1 (3) The executive director of the state foundation on
2 culture and the arts, or the executive director's
3 designee, who shall serve as the chair;
- 4 (4) A representative of the Hawaii state art museum;
- 5 (5) A representative of the Hawaiian civic club;
- 6 (6) A representative of the Bishop museum;
- 7 (7) A representative of the Merrie Monarch Festival;
- 8 (8) A representative of Papahanamokuakea Marine National
9 Monument;
- 10 (9) The superintendent of education, or the
11 superintendent's designee;
- 12 (10) A representative of the University of Hawaii at Manoa
13 art gallery;
- 14 (11) A representative of the Honolulu Academy of Arts;
- 15 (12) A representative of Hui No'eau Visual Arts Center;
- 16 (13) The chairperson of the office of Hawaiian affairs
17 board of trustees, or designee;
- 18 (14) Two members of the community at-large with knowledge
19 about Hawaiian art, appointed by the chair of the task
20 force;
- 21 (15) Two members representing nonprofit organizations,
22 appointed by the chair of the task force; and



1 (16) Two native Hawaiian artists or cultural practitioners,
2 appointed by the chair of the task force.

3 (b) The task force shall submit a report of its findings
4 and recommendations to the legislature, including any necessary
5 proposed legislation, no later than twenty days prior to the
6 convening of the regular session of 2012.

7 SECTION 4. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so
9 much thereof as may be necessary for fiscal year 2011-2012 to
10 finance the design and construction of a museum of music, dance,
11 and cultural arts; provided that no funds shall be expended
12 except in the following ratio:

- 13 (1) 50 per cent state funds;
- 14 (2) 30 per cent federal funds; and
- 15 (3) 20 per cent private funds.

16 The sum appropriated shall be expended by the state
17 foundation on culture and the arts for the purposes of this Act.

18 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Museum for music, Dance, and Cultural Arts; Appropriation

Description:

Establishes the Museum of Music, Dance, and Cultural Arts design committee. Authorizes the committee to invite developers to prepare plans, specifications, and designs for the construction of a museum, and to review for approval the proposed museum development plans submitted by developers. Establishes a task force to develop the museum. Appropriates funds. Effective July 1, 2050. (SB261 HD1)

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