

STAND. COM. REP. NO. 1225-12

Honolulu, Hawaii

March 23, 2012

RE: S.B. No. 2399  
S.D. 2  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Culture & the Arts, to which was referred S.B. No. 2399, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO URBAN ART,"

begs leave to report as follows:

The purpose of this measure is to combat illegal graffiti by creating a pilot program for the creation of urban art under the direction of the State Foundation on Culture and the Arts.

The Department of Transportation, The Estria Foundation, and one individual testified in support of this measure. The Historic Hawaii Foundation testified in support of the intent of this measure. The Outdoor Circle testified in opposition to this measure. The State Foundation on Culture and the Arts provided comments.

Your Committee notes concerns raised about the maintenance of urban art after its creation on state-owned buildings and the problems that could arise from not maintaining the integrity of this urban artwork.

Your Committee has amended this measure by:

- (1) Giving the State Foundation on Culture and the Arts the sole discretion to establish procedures for the pilot

SB2399 HD1 HSCR CUA HMS 2012-3079

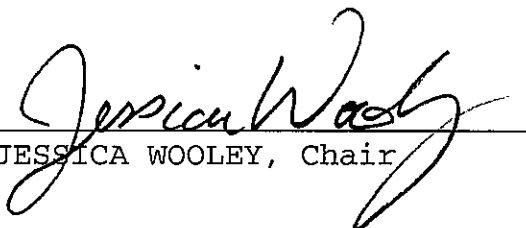


program to more narrowly regulate urban art on state-owned property;

- (2) Requiring the State Foundation on Culture and the Arts to establish procedures that designate specific areas for urban art on state-owned property;
- (3) Adding the Historic Hawaii Foundation, in addition to the Historic Preservation Division of the Department of Land and Natural Resources, for consultation to ensure that urban art does not cause an adverse effect to historic property;
- (4) Specifically excluding graffiti from being considered urban art;
- (5) Requiring the State Foundation on Culture and the Arts' report to the Legislature on the status of the pilot program to include necessary proposed legislation and recommendations to reduce illicit graffiti;
- (6) Changing the effective date to upon its approval; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Culture & the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2399, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2399, 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 Culture & the  
Arts,

  
JESSICA WOOLEY, Chair



