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## HOUSE CONCURRENT RESOLUTION

ESTABLISHING A PILOT PROGRAM FOR THE CREATION OF URBAN ART ON  
STATE-OWNED PROPERTY UNDER THE DIRECTION OF THE HAWAII  
STATE FOUNDATION ON CULTURE AND THE ARTS.

1           WHEREAS, graffiti is a pervasive problem in many  
2 communities throughout the State, causing visual blight and the  
3 lowering of property values; and  
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5           WHEREAS, the Legislature finds that the negative effects of  
6 graffiti make it an issue of great concern and the problem  
7 persists despite community efforts to combat it; and  
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9           WHEREAS, the Legislature further finds that while these  
10 negative effects cannot be ignored, graffiti is also recognized  
11 as a legitimate artistic genre; and  
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13           WHEREAS, as urban art, the graffiti style has historically  
14 been used as social and political commentary, and numerous  
15 publications have treated the subject as such; and  
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17           WHEREAS, although there are different theories regarding  
18 the purpose and effectiveness of urban art projects as a  
19 deterrent to graffiti, a popular theory posits that authorized  
20 outlets for urban art throughout a community will mitigate  
21 unauthorized instances of graffiti; and  
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23           WHEREAS, the Legislature further finds that providing  
24 legitimate, state-owned venues for urban art will enrich the  
25 State's communities in many ways, including by reducing graffiti  
26 through expanding opportunities for appropriate creative social  
27 expression; and



1           WHEREAS, urban art may be defined as any painting or  
2 artistic work composed in black and white or arrangements of  
3 color, including mosaics, murals, stencil art, and other art  
4 media and techniques; and

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6           WHEREAS, urban art excludes painting or work placed on a  
7 structure that is erected for the sole or primary purpose of  
8 signage, and graffiti as defined in section 46-1.5(24)(C) or  
9 577-3.5(a), Hawaii Revised Statutes; now, therefore,

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11           BE IT RESOLVED by the House of Representatives of the  
12 Twenty-seventh Legislature of the State of Hawaii, Regular  
13 Session of 2013, the Senate concurring, that the State  
14 Foundation on Culture and the Arts is requested to establish and  
15 direct a two-year pilot program for the creation of urban art on  
16 state-owned property; and

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18           BE IT FURTHER RESOLVED that the State Foundation on Culture  
19 and the Arts is urged to consult with the Department of  
20 Accounting and General Services, Department of Transportation,  
21 Department of Land and Natural Resources, State Historic  
22 Preservation Division of the Department of Land and Natural  
23 Resources, and any other stakeholders deemed appropriate by the  
24 State Foundation on Culture and the Arts to establish procedures  
25 for the pilot program, including procedures that address the  
26 following:

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28           (1) The selection of participating individuals;  
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30           (2) Site selection and designation of specific areas for  
31 urban art on state-owned property;  
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33           (3) Requirements and guidelines regarding the type and  
34 size of urban art and art material to be used;  
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36           (4) Rights to copyrights for the urban art created under  
37 the pilot program;  
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39           (5) Limitations, as necessary, on access to state-owned  
40 property used for urban art, such as requirements for  
41 safety and security; and  
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43           (6) Any other considerations that the State Foundation on  
44 Culture and the Arts deems appropriate; and



1 BE IT FURTHER RESOLVED that the State Foundation on Culture  
 2 and the Arts is urged to consult with the State Historic  
 3 Preservation Division of the Department of Land and Natural  
 4 Resources, Historic Hawaii Foundation, and any other  
 5 stakeholders that the State Foundation on Culture and the Arts  
 6 deems appropriate to review the creation of urban art under the  
 7 pilot program to ensure that the art does not adversely affect  
 8 historic property; and

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 10 BE IT FURTHER RESOLVED that the State Foundation on Culture  
 11 and the Arts is requested to submit a report to the Legislature  
 12 on the status of the pilot program for the creation of urban art  
 13 and its findings and recommendations, including any proposed  
 14 legislation, regarding the continuation of the program on a  
 15 permanent basis and methods to reduce illicit graffiti no later  
 16 than 20 days before the commencement of the Regular Session of  
 17 2016; and

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 19 BE IT FURTHER RESOLVED that certified copies of this  
 20 Concurrent Resolution be transmitted to the Executive Director  
 21 of the State Foundation on Culture and the Arts, Comptroller,  
 22 Director of Transportation, Chairperson of the Board of Land and  
 23 Natural Resources, Administrator of the State Historic  
 24 Preservation Division, and Executive Director of the Historic  
 25 Hawaii Foundation.

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OFFERED BY:

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MAR 13 2013

