



LATE

THE HAWAII STATE HOUSE OF REPRESENTATIVES
The Twenty-Seventh Legislature
Regular Session of 2013

COMMITTEE ON FINANCE

The Honorable Rep. Sylvia Luke, Chair
The Honorable Rep. Scott Nishimoto, Vice Chair
The Honorable Rep. Aaron Ling Johanson, Vice Chair

DATE OF HEARING: Monday, April 1, 2013
TIME OF HEARING: 2 p.m.
PLACE OF HEARING: Conference Room 308

TESTIMONY ON SB614 SD1 HD1 RELATING TO PUBLIC WORKS OF ART

By DAYTON M. NAKANELUA,
State Director of the United Public Workers,
AFSCME Local 646, AFL-CIO ("UPW")

My name is Dayton M. Nakanelua and I am the State Director of the United Public Workers, AFSCME, Local 646, AFL-CIO (UPW). The UPW is the exclusive representative for approximately 14,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents about 1,500 members of the private sector.

The UPW supports SB614 SD1 HD1 that requires the comptroller and the state foundation on culture and the arts to commission permanent works of art to honor the late U.S. Senator Daniel K. Inouye and the late U.S. Representative Patsy T. Mink and appropriates \$250,000 for each year of Fiscal Biennium 2013-2015.

Thank you for the opportunity to testify.

LATE



HAWAII

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CULTURE and the ARTS

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**TESTIMONY OF
THE STATE FOUNDATION ON CULTURE AND THE ARTS
TO
THE HOUSE COMMITTEE ON FINANCE
ON
April 1, 2013**

S. B. 614, SD 1, HD 1

Chair Luke, Vice Chairs Nishimoto and Johanson, and members of the Committee, I am Eva Laird Smith, executive director of the State Foundation on Culture and the Arts. I am pleased to support the intent of S. B. 614, SD 1, HD 1, provided its passage does not replace or adversely impact priorities indicated in the Executive Budget.

The contributions of the Honorable Daniel K. Inouye to the people of Hawaii and to Hawaii's development as a vibrant and respected state in the nation merits more than a single effort to memorialize him. The late Senator has earned a place in the hearts of the people of Hawaii. The commissioning a work of art to honor his legacy and outstanding contributions to our state and our people will inspire generations to come. It is a most fitting tribute that will last in perpetuity.

The Honorable Congresswoman Patsy T. Mink also dedicated her life to representing Hawaii in the United States Congress. It is fitting that we honor her memory as well.

The State Foundation's Collections Policy for the Art in Public Places Collection stipulates that the SFCA cannot initiate commemorative works of art, including memorials. However, S.B. 614,

SD 1, HD 1 will make it possible for our agency to respond to a mandate from the Legislature. The State Foundation on Culture and the Arts will conform to its Collections Policy for commissioning works of art and work alongside an art advisory committee that will recommend the type of artwork, selection of artist, and a suitable site and location in consultation with a suggested five-member committee to be selected by the Governor, Senate President, and the Speaker of the House of Representatives. We suggest including two more members to the committee (five members total) per standard procedures in our commissioning process. The spouse of the late senator and the late representative should also be consulted periodically prior to finalizing decisions. This and other technical adjustments to the measure are submitted as an attachment to this testimony for your consideration.

Funds for memorializing works of art need to be appropriated at \$250,000 each. Senate Concurrent Resolution 10 has been drafted calling upon Hawaii's Congressional delegation to seek Federal funds to match the State's appropriation. The works of art will be set for completion for fiscal years 2013-2014 and 2014-2015.

The State Foundation's Works of Art Special Fund currently operates with a cash balance of \$2.5 million at any given year. These funds are designated for commissioning works of art raised through construction of a building. In the case of commemorative works of art, construction is usually not part of the process.

We acknowledge the lasting legacy to our beloved state by the late Senator Daniel K. Inouye and the late United States Representative Patsy T. Mink. It is our fervent wish to honor them in perpetuity.

Thank you for the opportunity to testify on this matter.

A BILL FOR AN ACT

RELATING TO PUBLIC WORKS OF ART.

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

SECTION 1. The purpose of this Act is to honor the memory of the late United States Senator Daniel K. Inouye and the late United States Representative Patsy T. Mink and to use their examples to inspire current and future generations.

SECTION 2. (a) The comptroller and the state foundation on culture and the arts shall commission a permanent, three-dimensional work of art to portray the life, vision, accomplishments, impact, and legacy of the late United States Senator Daniel K. Inouye so as to properly honor his memory and to utilize his example as an inspiration for current and future generations.

(b) The state foundation on culture and the arts, at the earliest opportunity, shall issue a call for [the design entries; provided that] artists and facilitate a limited design competition. The design shall include but need not be limited to a likeness of Daniel K. Inouye at some stage of his life.

(c) Notwithstanding any other law or rule to the contrary;

the winning design shall be selected from among the design entries, in consultation with the state foundation on culture and the arts, by a [three] five-member design selection committee to consist of the following:

- (1) A person selected by the governor;
- (2) A person selected by the senate president; [and]
- (3) A person selected by the speaker of the house of representatives;
- (4) A visual arts consultant selected by the state foundation on culture and the arts; and
- (5) An architect selected by the Comptroller

(d) The state foundation on culture and the arts shall Administer and provide technical oversight of the project. The widow of Senator Inouye may participate in an ex-officio capacity.

(d) The state foundation on culture and the arts and the department of accounting and general services shall permanently install the work of art commemorating Daniel K. Inouye in the courtyard of the Eternal Flame in the Capital District, which is dedicated to men and women of the [S] state of Hawaii who have

served in the armed forces of the United States, in the Capitol Mall across Beretania Street from the State Capitol in time for unveiling on December 17, 2014, the second anniversary of his death.

SECTION 3. (a) The comptroller and the state foundation on culture and the arts shall commission a permanent work of art to portray the life, vision, accomplishments, impact and legacy of the late United States Representative Patsy T. Mink so as to properly honor her memory and to utilize her example as an inspiration for current and future generations.

(b) The state foundation on culture and the arts, at the earliest opportunity, shall issue a call for [design entries] artists and facilitate a limited design competition; provided that the design shall include but not be limited to a likeness of Patsy T. Mink at some stage of her life.

(c) Notwithstanding any other law or rule to the contrary, the winning design shall be selected from among the design entries, in consultation with the state foundation on culture and the arts, by a [three] five-member design selection committee to consist of the following:

- (1) A person selected by the governor;
- (2) A person selected by the senate president;
- (3) A person selected by the speaker of the house of Representatives;
- (4) A visual arts consultant selected by the state foundation on culture and the arts; and
- (5) An architect selected by the Comptroller

(d) The state foundation on culture and the arts shall administer and have technical oversight of the project. The widower of Representative Mink may participate in an ex-officio capacity.

(e) The state foundation on culture and the arts, the Selection committee, and the department of accounting and general services, in consultation with the state historic preservation division of the department of land and natural resources, shall select a suitable site in the Capitol District for the work of art commemorating Patsy T. Mink.

Section 4. There is appropriated out of the works of art special fund the sum of \$250,000 or so much thereof as may be necessary for fiscal year 2013-2014 and the same sum or so much

thereof as may be necessary for fiscal year 2014-2015 for the
Comptroller and state foundation on culture and the arts to
commission art pursuant to sections 2 and 3 of this Act.

The sums appropriated shall be expended by the department
of accounting and general services for the purposes of this Act.

SECTION 5. This Act shall take effect upon its approval.