



HAWAII
STATE FOUNDATION on
CULTURE and the ARTS

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**TESTIMONY OF THE STATE FOUNDATION ON CULTURE AND THE ARTS
TO THE SENATE COMMITTEE ON WAYS AND MEANS
February 28, 2023 Conference Room 211 & Videoconference at 10:00AM
S.B. 1120
RELATING TO THE WORKS OF ART SPECIAL FUND**

Chair Dela Cruz and members of the Committee, the State Foundation on Culture and the Arts (SFCA), is pleased to offer **COMMENTS** relating to S.B. 1120. S.B. 1120 provides opportunities for the counties and private organizations

located in Hawaii to display art through loan arrangements with the State Foundation on Culture and the Arts under the Arts in Public Places Program. Provides that artists who reside in Hawaii receive selection preference for the Arts in Public Places Program.

The percent-for-art law was created in 1967 based on the intrinsic relationship between art and architecture, where art is included as an essential part of the architectural plan, providing access and education to the people of Hawaii. The statewide program operations include acquisition and distribution of works of art, conservation of an exterior public art collection, interpretation of the collection (including the operations of the Hawaii State Art Museum and applicable portions of the Artists in the Schools program) and recognition of student artwork.

Overall, the requirements in S.B. 1120 are being implemented under the current statutes.

Line 5 (4) Provide opportunities for the counties and private organizations located in the State to display the art through loan arrangements with the foundation."

SFCA Collections Management Policy provides for loans to county and public institutions.

8.3 Loans to Non-State Facilities

Works of art may be loaned to museums and other public institutions if a significant public purpose is served, and when adequate security is provided. In addition to completing APP's non-state loan agreement form, the borrowing institution must provide a completed Standard Facilities Report describing the facility and environment in which the artwork will be placed. The terms and conditions of the loan are listed on the back of the loan agreement. Once the loan is approved, the borrower must provide a certificate of insurance listing all works of art on loan from the APP Collection. Copies of all loan agreements are maintained in the SFCA office.

S.B.1120 may negatively impact the private art market by providing works of art for private entities at no cost when those businesses would otherwise support the art industry with private investment.