
A BILL FOR AN ACT

RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS.

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

1 SECTION 1. Chapter 9, Hawaii Revised Statutes, is amended
2 by adding a new section to part II to be appropriately
3 designated and to read as follows:

4 "§9- Standing selection committee; cultural grants.

5 (a) There is established within the foundation a standing
6 selection committee to review applications and award cultural
7 grants under section 9-3(16).

8 (b) The standing selection committee shall consist of the
9 following members:

- 10 (1) The president and chief executive officer of the
11 Hawaii tourism authority, or the president and chief
12 executive officer's designee;
13 (2) The executive director of the foundation, or the
14 executive director's designee;
15 (3) One member appointed by the governor, who shall not be
16 subject to the advice and consent of the senate;
17 (4) One member appointed by the president of the senate;



1 (5) One member appointed by the speaker of the house of
2 representatives; and

3 (6) Two members who are recognized as practitioners of
4 native Hawaiian traditional and customary practices;

5 provided that of the seven members, no more than three members
6 shall be a resident of the city and county of Honolulu."

7 SECTION 2. Section 9-3, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§9-3 Duties.** The foundation shall:

10 (1) Assist in coordinating the plans, programs, and
11 activities of individuals, associations, corporations,
12 and agencies concerned with the preservation and
13 furtherance of culture and the arts and history and
14 the humanities;

15 (2) Establish written standards and criteria by which
16 grant contracts shall be evaluated;

17 (3) Appraise the availability, adequacy, and accessibility
18 of culture and the arts and history and the humanities
19 to all persons throughout the State and devise
20 programs whereby culture and the arts and history and



- 1 the humanities can be brought to those who would
2 otherwise not have the opportunity to participate;
- 3 (4) Stimulate, guide, and promote culture and the arts and
4 history and the humanities throughout the State;
- 5 (5) Devise and recommend legislative and administrative
6 action for the preservation and furtherance of culture
7 and the arts and history and the humanities;
- 8 (6) Study the availability of private and governmental
9 grants for the promotion and furtherance of culture
10 and the arts and history and the humanities;
- 11 (7) Through its executive director:
- 12 (A) Administer funds allocated by grant, gift, or
13 bequest to the foundation; accept, hold,
14 disburse, and allocate funds that may become
15 available from other governmental and private
16 sources; provided that all those funds shall be
17 disbursed or allocated in compliance with any
18 specific designation stated by the donor and in
19 the absence of any designation, the funds shall
20 be disbursed or allocated for the promotion and



1 furtherance of culture and the arts and history
2 and the humanities; and
3 (B) Accept, hold, disburse, and allocate public funds
4 that are made available to the foundation by the
5 legislature for disbursement or allocation,
6 pursuant to the standards and procedures
7 established in part II, for the promotion and
8 furtherance of culture and the arts and history
9 and the humanities;
10 (8) Submit an annual report with recommendations to the
11 governor and legislature, prior to February 1[7] of
12 each year. Annual reports shall include the total
13 number and amount of gifts and other grants and income
14 received, payroll disbursements, contracts entered
15 into, and progress and accomplishments made during the
16 year, including the efforts of the Hawaii arts
17 education partners and its progress in implementing
18 the Hawaii arts education strategic plan and the
19 accomplishments of the art in public places and
20 relocatable works of art programs and the state art
21 museum;



- 1 (9) Convene the Hawaii arts education partners, which is
2 composed of the department of education, the colleges
3 of education and arts and humanities of the University
4 of Hawaii at Manoa, the Hawaii Association of
5 Independent Schools, and the Hawaii Alliance for Art
6 Education, to fully implement the terms of the Hawaii
7 arts education strategic plan;
- 8 (10) Display student art works in public buildings, sponsor
9 student art displays, promote arts education, and in
10 other ways encourage the development of creative
11 talent among the young people of Hawaii;
- 12 (11) In cooperation with qualified organizations, conduct
13 research, studies, and investigations in the fields of
14 ethnohistory and the humanities:
- 15 (A) Make, publish, and distribute works documenting
16 the contributions of individual ethnic groups in
17 their relationship to one another and to the
18 whole population of Hawaii;
- 19 (B) Place ethnohistorical and cultural materials
20 developed by the foundation or received by the
21 foundation as gifts and donations in public



- 1 archives, libraries, and other suitable
2 institutions accessible to the public; and
3 (C) Maintain a register of the location of [~~such~~] the
4 materials;
- 5 (12) Cooperate with and assist the department of land and
6 natural resources and other state agencies in
7 developing and implementing programs relating to
8 historic preservation, research, restoration, and
9 presentation, as well as museum activities;
- 10 (13) Establish an individual artist fellowship program to
11 encourage artists to remain and work in Hawaii and to
12 reaffirm the importance of Hawaii's artists and their
13 cultural and economic contributions to the State by:
- 14 (A) Recognizing and honoring Hawaii's exceptionally
15 talented visual and performing artists for their
16 outstanding work in and commitment to the arts;
17 and
- 18 (B) Enabling these artists to further their artistic
19 goals;
- 20 (14) In consultation with the comptroller and affected
21 agencies and departments, administer the art in public



1 places and relocatable works of art programs
 2 established pursuant to section 103-8.5; [~~and~~]
 3 (15) Administer the operations of the state art museum
 4 established pursuant to section 9-22[~~-~~]; and
 5 (16) Notwithstanding any other law to the contrary, award
 6 and administer any cultural grants that perpetuate the
 7 uniqueness of the native Hawaiian culture and
 8 community, and their importance to the quality of the
 9 visitor experience."

10 SECTION 3. Section 201B-7, Hawaii Revised Statutes, is
 11 amended by amending subsection (b) to read as follows:

12 "(b) The authority shall be responsible for:
 13 (1) Creating a vision and developing a long-range
 14 strategic plan for tourism in Hawaii;
 15 (2) Promoting, marketing, and developing the tourism
 16 industry in the State;
 17 (3) Arranging for the conduct of research through
 18 contractual services with the University of Hawaii or
 19 any agency or other qualified persons concerning
 20 social, economic, and environmental aspects of tourism
 21 development in the State;



- 1 (4) Providing technical or other assistance to agencies
2 and private industry upon request;
- 3 (5) Perpetuating the uniqueness of the native Hawaiian
4 culture and community, and their importance to the
5 quality of the visitor experience, except through the
6 awarding and administration of cultural grants to
7 nonprofit and community groups, by ensuring that:
 - 8 (A) The Hawaiian culture is accurately portrayed by
9 Hawaii's visitor industry;
 - 10 (B) Hawaiian language is supported and normalized as
11 both an official language of the State as well as
12 the foundation of the host culture that draws
13 visitors to Hawaii;
 - 14 (C) Hawaiian cultural practitioners and cultural
15 sites that give value to Hawaii's heritage are
16 supported, nurtured, and engaged in sustaining
17 the visitor industry; and
 - 18 (D) A native Hawaiian cultural education and training
19 program is provided for the visitor industry
20 workforce having direct contact with visitors;
21 and



1 (6) Reviewing annually the expenditure of public funds by
 2 any visitor industry organization that contracts with
 3 the authority to perform tourism promotion, marketing,
 4 and development and making recommendations necessary
 5 to ensure the effective use of the funds for the
 6 development of tourism."

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 2024-2025
 10 for full-time equivalent (FTE) grant administrator
 11 positions.

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

14 SECTION 5. In accordance with section 9 of article VII of
 15 the Hawaii State Constitution and sections 37-91 and 37-93,
 16 Hawaii Revised Statutes, the legislature has determined that the
 17 appropriations contained in H.B. No. , will cause the state
 18 general fund expenditure ceiling for fiscal year 2024-2025 to be
 19 exceeded by \$ or per cent. In addition, the
 20 appropriation contained in this Act will cause the general fund
 21 expenditure ceiling for fiscal year 2024-2025 to be further



1 exceeded by \$ or per cent. The combined total
2 amount of general fund appropriations contained in only these
3 two Acts will cause the state general fund expenditure ceiling
4 for fiscal year 2024-2025 to be exceeded by
5 \$ or per cent. The reasons for exceeding the
6 general fund expenditure ceiling are that:

- 7 (1) The appropriation made in this Act is necessary to
8 serve the public interest; and
9 (2) The appropriation made in this Act meets the needs
10 addressed by this Act.

11 SECTION 6. All appropriations, records, equipment,
12 machines, files, supplies, contracts, books, papers, documents,
13 maps, and other personal property heretofore made, used,
14 acquired, or held by the Hawaii tourism authority relating to
15 the awarding and administering of cultural grants that
16 perpetuate the uniqueness of native Hawaiian culture and
17 community, and their importance to the quality of the visitor
18 experience, shall be transferred to the state foundation on
19 culture and the arts.

20 SECTION 7. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 8. This Act shall take effect on July 1, 3000.



Report Title:

Cultural Grants; State Foundation on Culture and the Arts;
Standing Selection Committee; Hawaii Tourism Authority;
Appropriation; Expenditure Ceiling

Description:

Transfers the awarding and administration of certain cultural grants from the Hawaii Tourism Authority to the State Foundation on Culture and the Arts and establishes a standing selection committee within the Foundation to review and award the cultural grants. Appropriates funds for grant administrator positions. Effective 7/1/3000. (HD2)

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