

Honolulu, Hawaii

FEB 17 2023

RE: S.B. No. 119  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committees on Transportation and Culture and the Arts and Government Operations, to which was referred S.B. No. 119 entitled:

"A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Works of Art Special Fund to be used for performing arts, under certain conditions;
- (2) Provide that forty percent of the Works of Art Special Fund be used for performing arts; and
- (3) Define "performing arts".

Your Committees received testimony in support of this measure from Ebb & Flow Arts and two individuals. Your Committees received testimony in opposition to this measure from the State Foundation on Culture and the Arts, Department of Budget and Finance, Danse Space Hawaii, Rachel Orr Art, Windward Artist Guild, Honolulu Theatre for Youth, Xen Design Inc., Aupuni Space, Exhibition Grid, Na Mea Hawaii, Pau Hana Painters Collective, TRADES A.i.R., Prince Dance Company, and sixty-four individuals. Your Committees received comments on this measure from the



Department of the Attorney General, Hawaii Arts Alliance, and two individuals.

Your Committees find that the mission of the State Foundation on Culture and the Arts is to promote, perpetuate, preserve, and encourage culture and the arts as central to the quality of life and people of the State. The State Foundation on Culture and the Arts administers the State Art Museum and the Art in Public Places and Relocatable Works of Art Programs. The State Art Museum and programs administered by the State Foundation on Culture and the Arts support, promote, and recognize the excellence of the State's diverse artists while also showcasing the diversity and excellence of various artists. To further the State Foundation on Culture and the Arts' endeavors, your Committees find that performing arts should be incorporated into the State Foundation on Culture and the Arts' programming.

Your Committees have amended this measure by:

- (1) Deleting language that would have defined "display", "works of art", and "performing arts" for purposes of the State Foundation on Culture and the Arts;
- (2) Deleting language that would have amended the purposes of the Works of Arts Special Fund, including the requirement that forty percent of the Works of Art Special Fund be used for performing arts;
- (3) Inserting language that establishes the Performing Arts Pilot Program Committee within the State Foundation on Culture and the Arts;
- (4) Requiring the Performing Arts Pilot Program Committee to establish a Performing Arts Pilot Program under which the Committee will solicit, review, and select grant proposals for performing arts grants;
- (5) Requiring the Performing Arts Pilot Program Committee to submit annual reports to the Legislature;
- (6) Including the Performing Arts Pilot Program and the coordination, planning, promotion, marketing, and

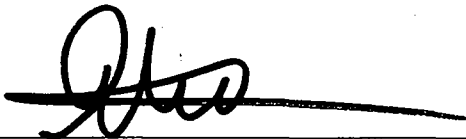


execution of performing arts events within the purposes of the State Foundation on Culture and the Arts;

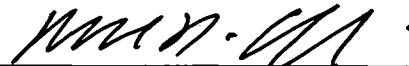
- (7) Defining "performing arts";
- (8) Appropriating \$1,000,000 in general funds for the Performing Arts Pilot Program;
- (9) Amending section 1 to reflect its amended purpose;
- (10) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (11) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 119, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 119, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Transportation and Culture and the Arts and Government Operations,



ANGUS L.K. MCKELVEY, Chair



CHRIS LEE, Chair



The Senate  
Thirty-Second Legislature  
State of Hawai'i

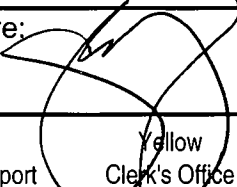
**Record of Votes**  
**Committee on Transportation and Culture and the Arts**  
**TCA**

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>SB 119</i>	<i>TCA/GVO, WAM</i>	<i>2/14/23</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)	✓			
INOUYE, Lorraine R. (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
KEOHOKALOLE, Jarrett				✓
AWA, Brenton	✓			
<b>TOTAL</b>	<i>4</i>			<i>1</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted				
<input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Lorraine R. Inouye</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes

The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Government Operations**  
**GVO**

Bill / Resolution No.:* <b>SB119</b>	Committee Referral: <b>TCA/GVO, WAM</b>	Date: <b>02-14-2023</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
MCKELVEY, Angus L.K. (C)	✓			
GABBARD, Mike (VC)				✓
SAN BUENAVENTURA, Joy A.	✓			
WAKAI, Glenn	✓			
AWA, Brenton	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes