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# A BILL FOR AN ACT

RELATING TO THE ARTS.

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

1           SECTION 1. Section 103-8.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§103-8.5 Works of art special fund.** (a) There is  
4 created a works of art special fund, into which shall be  
5 transferred one per cent of all state fund appropriations for  
6 capital improvements designated for the construction cost  
7 element; provided that this transfer shall apply only to capital  
8 improvement appropriations that are designated for the  
9 construction or renovation of state buildings. The one per cent  
10 transfer requirement shall not apply to appropriations from the  
11 passenger facility charge special fund established by section  
12 261-5.5 and the rental motor vehicle customer facility charge  
13 special fund established under section 261-5.6.

14           (b) The works of art special fund shall be used solely for  
15 the following purposes:

16           (1) Costs related to the acquisition of works of art,  
17           including any consultant or staff services required to



1 carry out the art in public places and relocatable  
2 works of art programs;

3 (2) Site modifications, display, and interpretive work  
4 necessary for the exhibition of works of art;

5 (3) Upkeep services, including maintenance, repair, and  
6 restoration of works of art; and

7 (4) Storing and transporting works of art.

8 (c) The one per cent amount [~~7~~, ~~which is~~] included in all  
9 capital improvement appropriations [~~7~~] pursuant to subsection (a)  
10 shall be calculated at the time the appropriation bills are  
11 signed into law. The moneys shall be transferred into the works  
12 of art special fund upon availability of moneys from the  
13 appropriations. Each agency receiving capital improvement  
14 appropriations shall calculate the one per cent amount and  
15 transfer the moneys into the works of art special fund.

16 (d) The comptroller and the state foundation on culture  
17 and the arts shall decide on the specific art objects to  
18 acquire, giving first consideration to placing appropriate  
19 pieces of art at the locations of the original appropriation.

20 The selection of, commissioning artists for, reviewing of  
21 design, execution, and placement of, and the acceptance of works



1 of art shall be the responsibility of the comptroller and the  
2 state foundation on culture and the arts in consultation with  
3 the affected agency or department.

4 Expenditures from the works of art special fund shall be  
5 made by the comptroller.

6 (e) The comptroller shall:

7 (1) Provide each agency receiving capital improvement  
8 appropriations with information regarding items that  
9 shall be included and excluded from the one per cent  
10 amount;

11 (2) Ensure that each agency calculates its one per cent  
12 amount correctly; and

13 (3) Ensure that each agency transfers the correct amount  
14 to the works of art special fund in a timely manner.

15 [~~f~~] The comptroller and the executive director shall  
16 track amounts due from each agency under the one per cent  
17 requirement as provided in subsections (a) and (c) and this  
18 [~~section.~~] subsection.

19 (f) The comptroller shall establish a separate arts fee  
20 account within the works of art special fund, into which shall  
21 be transferred one per cent of all ticket sales from concerts



1 held at state venues. Funds within the arts fee account shall  
2 not be commingled with other funds within the works of art  
3 special fund.

4 Each agency collecting revenues from ticket sales subject  
5 to this subsection shall calculate an amount equal to one per  
6 cent of all ticket sales from concerts held at state venues  
7 under its ownership and management and transfer the moneys into  
8 the arts fee account. The comptroller shall track amounts due  
9 from each agency as provided in this subsection.

10 For the purposes of this subsection, "state venue" means a  
11 building, facility, or other improvement owned and managed by a  
12 state agency."

13 SECTION 2. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 3. This Act shall take effect on July 1, 3000.



# H.B. NO. 925 H.D. 1

**Report Title:**

Arts; Works of Art Special Fund; Arts Fees Account; Concert  
Ticket Sales; State Venues

**Description:**

Requires the Comptroller to establish a separate Arts Fees  
Account within the Works of Art Special Fund to be funded by one  
per cent of all ticket sales from concerts held at state venues.  
Effective 7/1/3000. (HD1)

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not legislation or evidence of legislative intent.*

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