

STAND. COM. REP. NO. 1300

Honolulu, Hawaii

MAR 21 2025

RE: H.B. No. 1378
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Transportation and Culture and the Arts, to which was referred H.B. No. 1378, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the Performing Arts Grants Program and Performing Arts Grants Special Fund to support performing arts in the State;
- (2) Clarify the scope of the State Foundation on Culture and the Arts' responsibilities to include the coordination, planning, promotion, marketing, and execution of performing arts events;
- (3) Amend the funding sources for the State Art Museum;
- (4) Amend the amounts required to be transferred by agencies into the Works of Art Special Fund and the allowable uses of the Special Fund; and
- (5) Appropriate funds.



Your Committee received testimony in support of this measure from Hale Mahaolu Ewalu and five individuals.

Your Committee received testimony in opposition to this measure from the Office of the Governor; State Foundation on Culture and the Arts; SAG-AFTRA Hawaii Local, AFL-CIO; HŌ'Ā Program; Hawai'i Arts Alliance; Donkey Mill Art Center; Pride At Work-Hawai'i; Honolulu Printmakers; ProArts Playhouse Maui; Hāna Arts; Hawai'i Health & Harm Reduction Center; Honolulu Theatre for Youth; Hawai'i Community Foundation; Kumu Kahua Theatre; Quovadis Design; Hula Preservation Society; Hawai'i Forest Industry Association; Hawai'i Craftsmen; ART+FLEA, MORI by ART+FLEA; Lei Pua 'Ala Queer Histories of Hawai'i; Pu'uhonua Society; Maui Academy of Performing Arts; LVRG Group; Gravitas Pasifika; Foundation for an Engaged Pacific; IATSE Local 665, AFL-CIO; and numerous individuals.

Your Committee received comments on this measure from the Department of Budget and Finance; Department of Business, Economic Development, and Tourism; and Department of the Attorney General.

Your Committee finds that the State Foundation on Culture and the Arts administers and fosters programs that aim to support, promote, and recognize the excellence of the State's diverse artists. Your Committee further finds that there have been recent efforts to expand and develop programs that include performing arts and other initiatives that enhance an array of arts programming. Establishing a program and funding mechanism that specializes in furthering performing arts is critical to advance the art communities throughout the State.

Your Committee further finds that Hawaii was the first state in the nation to adopt a percent-for-art law which designates one percent of construction costs of new buildings for the acquisition of works of art. The percent-for-art law and the Works of Art Special Fund have been a cornerstone of the State's commitment to the arts. Your Committee recognizes that providing a stable funding source ensures the economic prosperity of the local art community and believes that it is imperative to execute sound financial management techniques as the art industry in the State continues to thrive and evolve.



Your Committee acknowledges the current funding concerns regarding the availability and continuation of federal grants and funds due to the new administration. Due to this fiscal uncertainty and potential grant instability, should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider an effective date later than July 1, 2025.

Accordingly, your Committee has amended this measure by:

- (1) Adding language to allow the State Foundation on Culture and the Arts to acquire, hold, and maintain any property to support the mission of the Foundation and for the maintenance, security, operations, or renovations of facilities controlled by the State Foundation on Culture and the Arts;
- (2) Clarifying that the Works of Art Special Fund may be used for costs related to the planning, design, and construction of works of art and related appurtenances;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1378, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1378, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
Culture and the Arts,



CHRIS LEE, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

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

Bill / Resolution No.:* HB 1378 HD2	Committee Referral: TCA, WAM	Date: 3.13.2025
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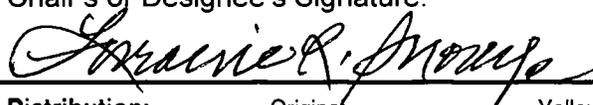
The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)	✓			
INOUYE, Lorraine R. (VC)		✓		
ELEFANTE, Brandon J.C.		✓		
KANUHA, Dru Mamo		✓		
DECORTE, Samantha			✓	
TOTAL	1	3	1	

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes