
A BILL FOR AN ACT

RELATING TO THE ARTS.

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

1 SECTION 1. The legislature finds that art feeds the human
2 spirit and offers priceless value. Art inspires, educates, and
3 challenges individuals to think differently, while making the
4 world a more beautiful and interesting place. The legislature
5 further finds that Hawaii was the first state in the nation to
6 adopt a percent-for-art law through Act 298, Session Laws of
7 Hawaii 1967 (Act 298), which designated one per cent of
8 construction costs of new buildings for the acquisition of works
9 of art. The purpose of Act 298 was to beautify state buildings
10 and increase public access to the arts.

11 The legislature further finds that recent efforts have
12 focused on the expansion of programs to include performing arts
13 and other initiatives to enhance an array of arts programming
14 across the State. Even as programs evolve and change over the
15 years, it is imperative that sound financial management be
16 exercised to ensure the stability of factors that may affect the
17 State's creditworthiness.



1 Accordingly, the purpose of this Act is to expand access to
2 vital arts and culture opportunities across the State by:

3 (1) Establishing a performing arts special fund to be used
4 by the state foundation on culture and the arts for
5 the coordination, planning, promotion, marketing, and
6 execution of performing arts events; and

7 (2) Collecting revenues equal to a percentage of all
8 ticket sales from concerts held at state venues to be
9 transferred into the performing arts special fund.

10 SECTION 2. Chapter 9, Hawaii Revised Statutes, is amended
11 by adding a new section to be appropriately designated and to
12 read as follows:

13 "§9- Performing arts special fund. (a) There is
14 established in the state treasury the performing arts special
15 fund, into which shall be deposited:

16 (1) All appropriations made by the legislature;

17 (2) Revenues charged by the foundation and surcharges,
18 grants, gifts, donations, and contributions from
19 private or public sources for the purposes of the
20 special fund;



1 (3) All amounts to be transferred to the special fund
2 pursuant to subsection (c); and

3 (4) All interest earned on moneys deposited in the special
4 fund.

5 (b) Moneys in the performing arts special fund shall be
6 expended by the foundation for the coordination, planning,
7 promotion, marketing, and execution of performing arts events.

8 (c) Each state agency shall calculate an amount equal to
9 one per cent of all ticket sales from concerts held at state
10 venues under its ownership and management and transfer that
11 amount into the performing arts special fund account; provided
12 that all ticket sales from any concert that is primarily
13 performed by students enrolled at:

14 (1) A department school, as defined in section 302A-101;
15 or

16 (2) The university of Hawaii,
17 shall be exempt from the one per cent deposit into the
18 performing arts special fund. The comptroller shall track
19 amounts due from each agency as provided in this subsection.

20 (d) For the purposes of this section:



1 "Concert" means a live, staged musical performance, comedy
2 act, or other specialty act or performance featuring any number
3 of performers that occurs in front of an audience.

4 "Performing arts" includes arts or skills that are intended
5 to be performed for an audience, including but not limited to
6 dance, singing, musical performances, and theater.

7 "State venue" means a building, facility, or other
8 improvement owned and managed by a state agency."

9 SECTION 3. New statutory material is underscored.

10 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

Arts; Performing Arts Special Fund; Concert Ticket Sales; State Venues

Description:

Establishes a Performing Arts Special Fund to be used for the coordination, planning, promotion, marketing, and execution of performing arts events and to be funded by a percentage of all ticket sales from concerts held at state venues. Establishes exemptions. Effective 7/1/3000. (SD1)

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