

JAN 23 2025

A BILL FOR AN ACT

RELATING TO THE WORKS OF ART SPECIAL FUND.

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, which designated one per cent of
7 construction costs of new buildings for the acquisition of works
8 of art through Act 298, Session Laws of Hawaii 1967 (Act 298).
9 The purpose of the law was to beautify state buildings and
10 increase public access to the arts. Act 298 statutorily
11 established that "the original construction of any state
12 building shall include ... an amount of one percent of the
13 appropriation for the acquisition of works of art which may be
14 an integral part of the structure ..." This original statute
15 was carefully crafted to maintain fiscal integrity in the use of
16 long-term capital funding.



1 The legislature expanded on this effort by enacting Act
2 389, Session Laws of Hawaii 1989, which created the works of art
3 special fund. The legislature finds that this program has been
4 a success, with works of art enhancing the physical environment
5 of state buildings and providing educational visual arts
6 opportunities to the public through the art in public places
7 program. Additionally, the State currently possesses a surplus
8 of artwork in storage for current and future uses.

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

16 Accordingly, the purpose of this Act is to:

- 17 (1) Specify that the works of art special fund's one per
18 cent transfer requirement shall apply only to capital
19 improvement appropriations for the original
20 construction of state buildings;



1 (2) Amend the authority for funds from the works of art
2 special fund to solely be used for costs related to
3 the acquisition of works of art; and

4 (3) Appropriate general funds to, and authorize the use of
5 federal funds for, the state foundation on culture and
6 the arts:

7 (A) To support certain positions and activities of
8 the state foundation on culture and the arts;

9 (B) For performing arts initiatives; and

10 (C) To expand arts programming in schools.

11 SECTION 2. Section 103-8.5, Hawaii Revised Statutes, is
12 amended by amending subsections (a) and (b) to read as follows:

13 "(a) There is created a works of art special fund, into
14 which shall be transferred one per cent of all state fund
15 appropriations for capital improvements designated for the
16 original construction [~~cost element; provided that this transfer~~
17 ~~shall apply only to capital improvement appropriations that are~~
18 ~~designated for the construction or renovation]~~ of state
19 buildings. The one per cent transfer requirement shall not
20 apply to appropriations from the passenger facility charge
21 special fund established by section 261-5.5 and the rental motor



1 vehicle customer facility charge special fund established under
2 section 261-5.6.

3 (b) The works of art special fund shall be used solely for
4 ~~[the following purposes:~~

5 ~~(1) ~~Costs]~~ costs related to the acquisition of works of
6 art ~~[, including any consultant or staff services
7 required to carry out the art in public places and
8 relocatable works of art programs;~~~~

9 ~~(2) Site modifications, display, and interpretive work
10 necessary for the exhibition of works of art;~~

11 ~~(3) Upkeep services, including maintenance, repair, and
12 restoration of works of art;~~

13 ~~(4) Storing and transporting works of art]."~~

14 SECTION 3. The following sums or so much thereof as may be
15 necessary for fiscal year 2025-2026 and fiscal year 2026-2027
16 are appropriated or authorized, as the case may be, from moneys
17 in the treasury received from general revenues and federal funds
18 to be expended by the state foundation on culture and the arts
19 to finance the positions and other cost items listed below. The
20 letter symbols used after the specific appropriations indicate



- 1 the source of financing and have the following meaning: (A)
- 2 general revenues, (N) federal funds.

Prog ID/Org	Position Title/Program Description	Position #	MOF	FTE (P)	FY 26	FY 27
AGS 881 LA	Secretary II	16047	A	1.00	47,004	47,004
AGS 881 LA	Administrative Services Assistant	21199	A	0.75	47,322	47,322
AGS 881 LA	Administrative Services Assistant	21199	N	0.25	15,774	15,774
AGS 881 LA	Office Assistant III	21352	A	0.75	28,404	28,404
AGS 881 LA	Office Assistant III	21352	N	0.25	7,560	7,560
AGS 881 LA	Arts Program Specialist III	26529	A	1.00	71,016	71,016
AGS 881 LA	Arts Program Specialist IV	27869	A	1.00	71,016	71,016
AGS 881 LA	Accountant IV	31184	A	0.75	67,365	67,365
AGS 881 LA	Accountant IV	31184	N	0.25	22,455	22,455
AGS 881 LA	Arts Program Specialist II	32873	N	1.00	56,064	56,064
AGS 881 LA	Arts Program Specialist III	39045	N	1.00	58,296	58,296
AGS 881 LA	Arts Program Specialist II	36841	A	1.00	73,836	73,836
AGS 881 LA	Information Specialist III	45697	A	0.75	47,322	47,322
AGS 881 LA	Information Specialist III	45697	N	0.25	15,774	15,774
AGS 881 LA	Account Clerk III	45700	A	0.75	31,356	31,356
AGS 881 LA	Account Clerk III	45700	N	0.25	10,452	10,452
AGS 881 LA	Arts Program Specialist III	47047	N	1.00	60,660	60,660
AGS 881 LA	Arts Program Specialist III	48120	A	1.00	63,096	63,096
AGS 881 LA	Arts Program Specialist II	52285	A	1.00	56,064	56,064
AGS 881 LA	Arts Program Specialist II	52286	A	1.00	56,064	56,064
AGS 881 LA	Arts Program Specialist II	52287	A	1.00	58,203	58,203
AGS 881 LA	Arts Program Specialist III	52288	A	1.00	63,096	63,096
AGS 881 LA	Arts Program Specialist III	52290	A	1.00	65,664	65,664
AGS 881 LA	Executive Director, SFCA	100256	A	0.75	110,781	110,781
AGS 881 LA	Executive Director, SFCA	100256	N	0.25	36,927	36,927
AGS 881 LA	Arts Program Specialist II	112785	A	1.00	59,748	59,748
AGS 881 LA	Arts Program Specialist II	112788	A	1.00	63,096	63,096
AGS 881 LA	Arts Program Specialist III	122671	A	1.00	60,660	60,660
AGS 881 LA	Hawaii State Art Museum		A		1,857,580	1,857,580



AGS 881 LA	Interpretive Work		A		425,000	425,000
AGS 881 LA	Operating		A		201,923	201,923
AGS 881 LA	Consultant Services		A		35,000	35,000
AGS 881 LA	Registration		A		34,000	34,000
AGS 881 LA	Upkeep Services		A		29,530	29,530
AGS 881 LA	Display		A		285,580	285,580
AGS 881 LA	Transportation		A		19,085	19,085
		Total	A	17.50	4,028,811	4,028,811
			N	4.50	283,962	283,962

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2 SECTION 4. There is appropriated out of the general
 3 revenues of the State of Hawaii the sum of \$ or so
 4 much thereof as may be necessary for fiscal year 2025-2026 and
 5 the same sum or so much thereof as may be necessary for fiscal
 6 year 2026-2027 for performing arts initiatives.

7 The sums appropriated shall be expended by the state
 8 foundation on culture and the arts for the purposes of this Act.

9 SECTION 5. There is appropriated out of the general
 10 revenues of the State of Hawaii the sum of \$ or so
 11 much thereof as may be necessary for fiscal year 2025-2026 and
 12 the same sum or so much thereof as may be necessary for fiscal
 13 year 2026-2027 to expand arts programming in schools.

14 The sums appropriated shall be expended by the state
 15 foundation on culture and the arts for the purposes of this Act.

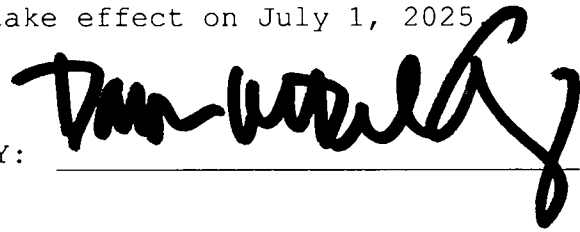


1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect on July 1, 2025.

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INTRODUCED BY: _____



S.B. NO. 1236

Report Title:

Works of Art Special Fund; State Foundation on Culture and the Arts; Capital Improvement Appropriations; Arts in Public Places Program; Relocatable Works of Arts Program; Performing Arts; School Arts Program; Appropriation

Description:

Specifies that the works of art special fund's one per cent transfer requirement shall apply only to capital improvement appropriations for the original construction of state buildings. Amends the authority for funds from the works of art special fund to be used only for costs related to the acquisition of works of art. Appropriates funds.

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