
A BILL FOR AN ACT

RELATING TO THE PERFORMANCE ARTS.

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

1 SECTION 1. The legislature finds that the programs of the
2 state foundation on culture and the arts (foundation) are one of
3 the primary ways in which art in Hawaii is made available to the
4 public, and interest in the arts is encouraged. Among the
5 foundation's most successful efforts is its implementation of
6 the art in public places program, which has provided public
7 venues for the display of professional and student artwork. The
8 legislature finds, however, that the program does impose certain
9 constraints on the types of art that are publicly featured, and
10 that genres such as theater, music, and dance may not be given
11 an equal share in the public's awareness through the programs of
12 the state foundation on culture and the arts.

13 The purpose of this Act is to integrate performance arts
14 into the types of arts made available to the public through the
15 foundation by requiring the foundation to develop a program that
16 prioritizes performance art, and that, among other things, gives
17 preference to performers from the community and emphasizes
18 student performance. In addition this Act:



1 (1) Requires the foundation to make recommendations
2 regarding needed appropriations to support statewide
3 cultural extension programs;

4 (2) Includes the University of Hawaii outreach college
5 extension program, community colleges, and other
6 community organizations in the list of partners for
7 the foundation to fully implement the Hawaii arts
8 education strategic plan; and

9 (3) Changes the deadline for submitting the foundation's
10 annual report to December 31 of each year.

11 SECTION 2. Section 9-3, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§9-3 Duties.** The foundation shall:

14 (1) Assist in coordinating the plans, programs, and
15 activities of individuals, associations, corporations,
16 and agencies concerned with the preservation and
17 furtherance of culture and the arts and history and
18 the humanities;

19 (2) Establish written standards and criteria by which
20 grant contracts shall be evaluated;

21 (3) Appraise the availability, adequacy, and accessibility
22 of culture and the arts and history and the humanities



1 to all persons throughout the State and devise
2 programs whereby culture and the arts and history and
3 the humanities can be brought to those who would
4 otherwise not have the opportunity to participate;

5 (4) Stimulate, guide, and promote culture and the arts and
6 history and the humanities throughout the State;

7 (5) Devise and recommend legislative and administrative
8 action for the preservation and furtherance of culture
9 and the arts and history and the humanities; provided
10 that recommendations shall be made regarding needed
11 appropriations to support statewide cultural extension
12 programs;

13 (6) Study the availability of private and governmental
14 grants for the promotion and furtherance of culture
15 and the arts and history and the humanities;

16 (7) Through its executive director:

17 (A) Administer funds allocated by grant, gift, or
18 bequest to the foundation; accept, hold,
19 disburse, and allocate funds that may become
20 available from other governmental and private
21 sources; provided that all those funds shall be
22 disbursed or allocated in compliance with any



1 specific designation stated by the donor and in
2 the absence of any designation, the funds shall
3 be disbursed or allocated for the promotion and
4 furtherance of culture and the arts and history
5 and the humanities; and

6 (B) Accept, hold, disburse, and allocate public funds
7 that are made available to the foundation by the
8 legislature for disbursement or allocation,
9 pursuant to the standards and procedures
10 established in part II, for the promotion and
11 furtherance of culture and the arts and history
12 and the humanities;

13 (8) Submit an annual report with recommendations to the
14 governor and legislature, prior to [~~February 1,~~
15 December 31, of each year. Annual reports shall
16 include the total number and amount of gifts and other
17 grants and income received, payroll disbursements,
18 contracts entered into, and progress and
19 accomplishments made during the year, including the
20 efforts of the Hawaii arts education partners and its
21 progress in implementing the Hawaii arts education
22 strategic plan and the accomplishments of the art in



1 public places and relocatable works of art programs
2 and the state art museum;

3 (9) Convene the Hawaii arts education partners, which is
4 composed of the department of education, the colleges
5 of education and arts and humanities of the University
6 of Hawaii at Manoa, the University of Hawaii outreach
7 college extension program, the community colleges, the
8 Hawaii Association of Independent Schools, [~~and~~] the
9 Hawaii Alliance for Art Education, and other community
10 organizations to fully implement the terms of the
11 Hawaii arts education strategic plan;

12 (10) Display student art works in public buildings, sponsor
13 student art displays, promote arts education, and in
14 other ways encourage the development of creative
15 talent among the young people of Hawaii;

16 (11) Develop a program that prioritizes performance art,
17 including theater, music, and dance, and:

18 (A) Gives preference to performers from the
19 community;

20 (B) Emphasizes student performance;



1 (C) Considers and uses locations such as parks and
2 gymnasiums administered by state agencies when
3 selecting venues for performances; and

4 (D) Contracts with local theaters to stage student
5 performances in the event that a school is unable
6 to provide an appropriate venue;

7 [~~(11)~~] (12) In cooperation with qualified organizations, conduct
8 research, studies, and investigations in the fields of
9 ethnohistory and the humanities:

10 (A) Make, publish, and distribute works documenting
11 the contributions of individual ethnic groups in
12 their relationship to one another and to the
13 whole population of Hawaii;

14 (B) Place ethnohistorical and cultural materials
15 developed by the foundation or received by the
16 foundation as gifts and donations in public
17 archives, libraries, and other suitable
18 institutions accessible to the public; and

19 (C) Maintain a register of the location of such
20 materials;

21 [~~(12)~~] (13) Cooperate with and assist the department of land and
22 natural resources and other state agencies in



1 developing and implementing programs relating to
2 historic preservation, research, restoration, and
3 presentation, as well as museum activities;

4 ~~[(13)]~~ (14) Establish an individual artist fellowship program to
5 encourage artists to remain and work in Hawaii and to
6 reaffirm the importance of Hawaii's artists and their
7 cultural and economic contributions to the State by:

8 (A) Recognizing and honoring Hawaii's exceptionally
9 talented visual and performing artists for their
10 outstanding work in and commitment to the arts;
11 and

12 (B) Enabling these artists to further their artistic
13 goals;

14 ~~[(14)]~~ (15) In consultation with the comptroller and affected
15 agencies and departments, administer the art in public
16 places and relocatable works of art programs
17 established pursuant to section 103-8.5; and

18 ~~[(15)]~~ (16) Administer the operations of the state art museum
19 established pursuant to section 9-22."

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

22 SECTION 4. This Act shall take effect on January 1, 2025.



Report Title:

State Foundation on Culture and the Arts; Performance Arts

Description:

Requires the State Foundation on Culture and Arts to develop a program for performance art such as theater, music, and dance, emphasizing performances by students and community members. Requires SFCA to make recommendations regarding needed appropriations to support statewide cultural extension programs (HB993 HD1).

