

PROPOSED

THE SENATE
TWENTY-FOURTH LEGISLATURE, 2007
STATE OF HAWAII

S.B. NO. 302
S.D. 1

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 for works of art and an additional
6 per cent for works of performing art of all state fund
7 appropriations for capital improvements designated for the
8 construction cost element; provided that this transfer shall
9 apply only to capital improvement appropriations that are
10 designated for the construction or renovation of state
11 buildings. The [~~one per cent~~] percentage transfer requirement
12 shall not apply to appropriations from the passenger facility
13 charge special fund established by section 261-5.5.

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

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

21 The selection of, commissioning artists for, reviewing of
22 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 percentage amount;

11 (2) Ensure that each agency calculates its [~~one per cent~~]
12 percentage 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 track
16 amounts due from each agency under the [~~one per cent~~] percentage
17 requirement as provided in this section.

18 (g) For the purposes of this section, works of art shall
19 include performing arts products as defined in section
20 235-7.3(c)(1)."

21 SECTION 2. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



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1 SECTION 3. This Act shall take effect on July 1, 2007.



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Report Title:

Culture and Arts; Works of Art

Description:

Adds an unspecified percentage to the works of art special fund for performing arts. SD1

