

A Bill for an Act Relating to the State Art Museum.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The purpose of this Act is to provide statutory authority for the ongoing operational funding for the state art museum and to conform chapter 9, Hawaii Revised Statutes, with the duties with respect to the art in public places and relocatable works of art programs, imposed on the state foundation on culture and the arts by section 103-8.5, Hawaii Revised Statutes; and the state art museum. This Act also establishes the friends of Hawaii state art museum citizens group.

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

**“PART . ART IN PUBLIC PLACES AND RELOCATABLE WORKS OF ARTS PROGRAMS AND STATE ART MUSEUM**

**§9-A Purpose.** The foundation shall administer the art in public places and relocatable works of art programs, pursuant to section 103-8.5, and the state art museum to achieve the following purposes:

- (1) Replace in public state buildings the natural beauty displaced in construction with works of art expressive of the State’s cultural, creative, and traditional arts of its various ethnic groups;
- (2) Support, promote, and recognize excellence of the State’s diverse cultural, creative, and traditional artists; and
- (3) Create, display, and maintain in public places and the state art museum a collection of works of art that:
  - (A) Represents the diversity and excellence of the State’s artistic expression; and
  - (B) Provides to all the citizens of the State the fullest possible access to the highest quality aesthetic and educational experiences available.

**§9-B State art museum; establishment.** The state art museum is established within the foundation. The operations of the state art museum shall be funded and supported by the works of art special fund, pursuant to section 103-8.5.

**§9-C Friends of the Hawaii state art museum; establishment.** (a) There shall be established a nonprofit group, the friends of the Hawaii state art museum, to work effectively with the foundation and its professional staff to enhance and support the work of the museum, its ancillary programs, and amenities, pursuant to this part.

(b) The friends of the Hawaii state art museum shall operate concessions or other for-profit business enterprises within or on the grounds of the state art museum as directed by the foundation, and may enter into contracts as approved by and with the foundation, and with any association, individuals, or corporations to further the purposes of this part.

(c) Funds generated by the friends of the Hawaii state art museum shall be used as supplemental funds that may be expended for the following purposes:

- (1) Employing personnel as required to operate and maintain the museum and ancillary programs for educational, cultural, and promotional purposes;

- (2) Planning and development of state art museum programs;
- (3) Construction, repairs, replacement, additions, and extensions of state art museum facilities;
- (4) Operational and maintenance costs of state art museum and ancillary programs and amenities;
- (5) Administrative costs of the state art museum; and
- (6) Doing other things necessary to accomplish the purpose of this chapter, including the adoption, amending, or repeal of rules pursuant to chapter 91.”

SECTION 3. Section 9-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

““State art museum” means the museum established pursuant to section 9-B.”

SECTION 4. Section 9-3, Hawaii Revised Statutes, is amended to read as follows:

“§9-3 Duties. The foundation shall:

- (1) Assist in coordinating the plans, programs, and activities of individuals, associations, corporations, and agencies concerned with the preservation and furtherance of culture and the arts and history and the humanities;
- (2) Establish written standards and criteria by which grant contracts shall be evaluated;
- (3) Appraise the availability, adequacy, and accessibility of culture and the arts and history and the humanities to all persons throughout the State and devise programs whereby culture and the arts and history and the humanities can be brought to those who would otherwise not have the opportunity to participate;
- (4) Stimulate, guide, and promote culture and the arts and history and the humanities throughout the State;
- (5) Devise and recommend legislative and administrative action for the preservation and furtherance of culture and the arts and history and the humanities;
- (6) Study the availability of private and governmental grants for the promotion and furtherance of culture and the arts and history and the humanities;
- (7) Through its executive director:
  - (A) Administer funds allocated by grant, gift, or bequest to the foundation; accept, hold, disburse, and allocate funds [which] that may become available from other governmental and private sources; provided that all those funds shall be disbursed or allocated in compliance with any specific designation stated by the donor and in the absence of any designation, the funds shall be disbursed or allocated for the promotion and furtherance of culture and the arts and history and the humanities; and
  - (B) Accept, hold, disburse, and allocate public funds that are made available to the foundation by the legislature for disbursement or allocation, pursuant to the standards and procedures established in part II, for the promotion and furtherance of culture and the arts and history and the humanities;
- (8) Submit an annual report with recommendations to the governor and legislature, prior to February 1, of each year. Annual reports shall

- include the total number and amount of gifts and other grants and income received, payroll disbursements, contracts entered into, and progress and accomplishments made during the year, including the efforts of the Hawaii arts education partners and its progress in implementing the Hawaii arts education strategic plan[;] and the accomplishments of the art in public places and relocatable works of art programs and the state art museum;
- (9) Convene the Hawaii arts education partners, which is composed of the department of education, the colleges of education and arts and humanities of the University of Hawaii at Manoa, the Hawaii Association of Independent Schools, and the Hawaii Alliance for Art Education, to fully implement the terms of the Hawaii arts education strategic plan;
  - (10) Display student art works in public buildings, sponsor student art displays, promote arts education, and in other ways encourage the development of creative talent among the young people of Hawaii;
  - (11) In cooperation with qualified organizations, conduct research, studies, and investigations in the fields of ethnohistory and the humanities[; ~~make,~~];
    - (A) Make, publish, and distribute works documenting the contributions of individual ethnic groups in their relationship to one another and to the whole population of Hawaii; [~~place~~]
    - (B) Place ethnohistorical and cultural materials developed by the foundation or received by the foundation as gifts and donations in public archives, libraries, and other suitable institutions accessible to the public; and [~~maintain~~]
    - (C) Maintain a register of the location of such materials;
  - (12) Cooperate with and assist the department of land and natural resources and other state agencies in developing and implementing programs relating to historic preservation, research, restoration, and presentation, as well as museum activities; [~~and~~]
  - (13) Establish an individual artist fellowship program to encourage artists to remain and work in Hawaii and to reaffirm the importance of Hawaii's artists and their cultural and economic contributions to the State by:
    - (A) Recognizing and honoring Hawaii's exceptionally talented visual and performing artists for their outstanding work in and commitment [~~in~~] to the arts; and
    - (B) Enabling these artists to further their artistic goals[-];
  - (14) In consultation with the comptroller and affected agencies and departments, administer the art in public places and relocatable works of art programs established pursuant to section 103-8.5; and
  - (15) Administer the operations of the state art museum established pursuant to section 9-B."

SECTION 5. In codifying the new sections added by section 2 of this Act, the revisor of statutes shall substitute appropriate section numbers for the letters used in designating the new sections in this Act.

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

SECTION 7. This Act shall take effect upon its approval.

(Approved June 16, 2004.)