

STAND. COM. REP. NO.

1493

Honolulu, Hawaii

MAR 30 2021

RE: S.R. No. 202
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committees on Labor, Culture and the Arts and Energy,
Economic Development, and Tourism, to which was referred S.R.
No. 202 entitled:

"SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE
BUREAU TO CONDUCT A STUDY TO CREATE A STATUTORY DEFINITION OF
CREATIVE WORKERS AND DEVELOP RECOMMENDATIONS ON HOW THE
TRANSIENT ACCOMMODATIONS TAX MAY BE USED TO ASSIST CREATIVE
WORKERS,"

beg leave to report as follows:

The purpose and intent of this measure is to request the
Legislative Reference Bureau (LRB) to conduct a study to create a
statutory definition of creative workers and provide
recommendations on the structure by which transient accommodations
tax revenues may be used to support creative workers.

Your Committees did not receive any testimony on this
measure.

Your Committees find that creative work is generally
understood as a tangible manifestation of creative effort,
including fine artwork (sculpture, paintings, drawing, sketching),
performance art, dance, writing (literature), filmmaking, and
compositions, with a degree of arbitrariness such that it is
improbable that two persons would independently create the same
work. People from all over the world who visit Hawaii have



historically enjoyed the unique work produced by creative workers, including but not limited to painters, sculptors, ceramicists, writers, poets, photographers, film makers, visual artists, singers, composers, musicians, lyricists, choreographers, dancers, actors, and other performing artists. Your Committees also find that the significant decrease in the number of tourists in Hawaii due to the coronavirus disease 2019 pandemic has had a substantial impact on the livelihood of creative workers. This measure serves as groundwork for the Legislature to establish measures to support the creative workers in Hawaii.

Your Committees note the LRB's concerns regarding the tasks it is being asked to perform in this measure. First, the LRB states that it has no expertise or experience in matters relating to transient accommodations tax, tourism, or creative arts. Second, the LRB raises the lack of parameters needed for it to produce a meaningful report, including explicit guidance on the definition of "creative workers" from which the LRB can create a statutory definition and policy determinations as to the extent the "support" of creative workers should be prioritized over other concerns.

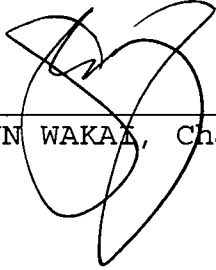
Your Committees have amended this measure by:

- (1) Deleting references to utilization of transient accommodations tax revenues to assist creative workers;
- (2) Providing non-statutory general definitions of "creative work" and "creative workers" as guidance to the LRB; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

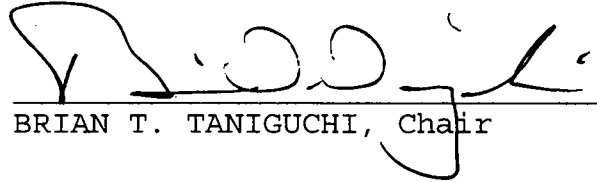
As affirmed by the records of votes of the members of your Committees on Labor, Culture and the Arts and Energy, Economic Development, and Tourism that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 202, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 202, S.D. 1.



Respectfully submitted on
behalf of the members of the
Committees on Labor, Culture
and the Arts and Energy,
Economic Development, and
Tourism,



GLENN WAKAA, Chair




BRIAN T. TANIGUCHI, Chair



The Senate
Thirty-First Legislature
State of Hawai'i


Record of Votes
Committee on Labor, Culture and the Arts
LCA

Bill / Resolution No.:* <i>SR 202</i>	Committee Referral: <i>LCA/EET</i>	Date: <i>3/24/21</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
IHARA, Jr., Les (VC)	✓			
CHANG, Stanley	✓			
KEOHOKALOPE, Jarrett	✓			
FEVELLA, Kurt	✓			
TOTAL	<i>5</i>	<i>0</i>	<i>0</i>	<i>0</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Energy, Economic Development, and Tourism
EET

Bill / Resolution No.:* SR 202	Committee Referral: LCA/EET	Date: 3/24/21		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)				X
MISALUCHA, Bennette E. (VC)	X			
LEE, Chris	X			
RIVIERE, Gil	X			
FEVELLA, Kurt	X			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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