
SENATE RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY AND DEVELOP STATUTORY DEFINITIONS OF "CREATIVE WORK" AND "CREATIVE WORKERS" BY TAKING INTO CONSIDERATION HAWAII'S EXISTING CREATIVE WORK INDUSTRY, AS GROUNDWORK FOR THE LEGISLATURE TO ADOPT MEASURES TO SUPPORT HAWAII'S CREATIVE WORKERS.

1 WHEREAS, creative work is generally understood as a
2 tangible manifestation of creative effort, including fine
3 artwork (sculpture, paintings, drawing, sketching), performance
4 art, dance, writing (literature), filmmaking, and compositions,
5 with a degree of arbitrariness such that it is improbable that
6 two persons would independently create the same work; and
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8 WHEREAS, people from all over the world who visit Hawaii
9 have historically enjoyed the unique work produced by Hawaii's
10 creative workers; and
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12 WHEREAS, the coronavirus disease 2019 (COVID-19) pandemic
13 negatively impacted the State's economy, particularly the
14 tourism industry; and
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16 WHEREAS, due to the significant decrease in the number of
17 visitors caused by the COVID-19 pandemic, Hawaii's creative
18 workers have also suffered; and
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20 WHEREAS, it would be in the State's best interests to
21 provide support to the State's creative workers; and
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23 WHEREAS, in order for the Legislature to propose and adopt
24 measures that would effectively provide support to Hawaii's
25 creative workers, it is essential that the terms "creative work"
26 and "creative workers" be clarified by taking into
27 consideration Hawaii's existing creative work industry; now,
28 therefore,
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1 BE IT RESOLVED by the Senate of the Thirty-first
2 Legislature of the State of Hawaii, Regular Session of 2021,
3 that the Legislative Reference Bureau is requested to conduct a
4 study and develop statutory definitions of "creative work" and
5 "creative workers" by taking into consideration Hawaii's
6 existing creative work industry, as groundwork for the
7 Legislature to adopt measures to support Hawaii's creative
8 workers; and
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10 BE IT FURTHER RESOLVED that the statutory definition of the
11 term "creative workers" is requested to include painters,
12 sculptors, ceramicists, writers, poets, photographers, film
13 makers, visual artists, singers, composers, musicians,
14 lyricists, choreographers, dancers, actors, and other performing
15 artists; and
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17 BE IT FURTHER RESOLVED that when conducting the study, the
18 Legislative Reference Bureau is urged to consult with the
19 Department of Business, Economic Development, and Tourism;
20 Department of Taxation; Department of Commerce and Consumer
21 Affairs; Department of Labor and Industrial Relations; Hawaii
22 Tourism Authority; State Foundation on Culture and the Arts; and
23 Hawai'i Alliance for Arts Education; and
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25 BE IT FURTHER RESOLVED that the Legislative Reference
26 Bureau is requested to submit a report of its findings and
27 recommendations, including any proposed legislation, to the
28 Legislature no later than twenty days prior to the convening of
29 the Regular Session of 2022; and
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31 BE IT FURTHER RESOLVED that certified copies of this
32 Resolution be transmitted to the Director of Business, Economic
33 Development, and Tourism; Director of Taxation; Director of
34 Commerce and Consumer Affairs; Director of Labor and Industrial
35 Relations; President and Chief Executive Officer of the Hawaii
36 Tourism Authority; Executive Director of the State Foundation on
37 Culture and the Arts; Director of the Legislative Reference
38 Bureau; and Chief Executive Officer of the Hawai'i Alliance for
39 Arts Education.

