

Honolulu, Hawaii

FEB 14 2025

RE: S.B. No. 441

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Transportation and Culture and the Arts, to which was referred S.B. No. 441 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII SYMPHONY ORCHESTRA,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Designate the Hawaii Symphony Orchestra as the State of Hawaii Symphony Orchestra;
- (2) Require annual reports to the Legislature; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from Pride at Work Hawai'i, Hawaii Symphony Orchestra, IATSE Local 665, Musicians' Association of Hawai'i, Democratic Party of Hawai'i, Hawaii State AFL-CIO, and numerous individuals.

Your Committee received comments on this measure from the Department of the Attorney General and Hawai'i State Foundation on Culture and the Arts.

Your Committee finds that the State has a certain responsibility to the Hawaii Symphony Orchestra for the public services it provides. The Hawaii Symphony Orchestra, founded in



1900, hosts shows and programs featuring musicians and performing artists from around the world, in addition to promoting local talent within the State. This measure will enable the Hawaii Symphony Orchestra to regularly obtain state funds to help cover its general operating costs in exchange for other services to the State by designating it as the State of Hawaii Symphony Orchestra.

Your Committee notes the recommendations of the Department of the Attorney General to insert a preamble to promote the public's understanding of the Legislature's intent of this measure and note the potential constitutional concerns regarding chapter 42F, Hawaii Revised Statutes, exemptions for nonprofits other than the Hawaii Symphony Orchestra. Your Committee finds that these issues raise concerns that merit further consideration and respectfully requests that subsequent Committees to which this measure is referred examine these matters.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 441 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
Culture and the Arts,



CHRIS LEE, Chair



