

1 *Mālama Ku'u Home* (caring for my beloved home) through the
2 principles of regenerative tourism. Tourism marketing and
3 tourism management are fundamental responsibilities of the
4 Hawaii tourism authority and are critical to sustainable
5 tourism.

6 The legislature further finds that according to the Hawaii
7 state planning act, planning for the State's economy regarding
8 the visitor industry shall be directed toward the achievement of
9 a visitor industry that constitutes a major component of steady
10 growth for Hawaii's economy. To achieve the visitor industry
11 objective, state policy requires, among other things, the
12 following:

- 13 (1) Ensuring that visitor industry activities are in
14 keeping with the social, economic, and physical needs
15 and aspirations of Hawaii's people;
- 16 (2) Encouraging cooperation and coordination between the
17 government and private sectors in developing and
18 maintaining well-designed, adequately serviced visitor
19 industry and related developments that are sensitive
20 to neighboring communities and activities; and



1 (3) Aligning the growth, development, and management of
2 tourism in the State with the objectives and policies
3 of the Hawaii State Planning Act.

4 The legislature believes that each county should have
5 greater control of its own visitor industry. Currently, the
6 legislature appropriates moneys to the Hawaii tourism authority,
7 which then contracts with various businesses or awards grants to
8 promote the State as a visitor destination.

9 The legislature also believes that those moneys should
10 instead be expended by the counties so that each county may
11 develop a visitor marketing approach that is more appropriate to
12 the county than a singular approach by the Hawaii tourism
13 authority that applies statewide.

14 Accordingly, the purpose of this Act is to:

15 (1) Ensure that the scope and responsibilities of the
16 Hawaii tourism authority encompass best practice
17 destination management and regenerative tourism;

18 (2) Require the Hawaii tourism authority to develop a
19 tourism management plan that includes tourism
20 marketing, best practice destination management, and
21 regenerative tourism;



- 1 (3) Codify the objectives and action items from the
2 counties' destination management action plans; and
3 (4) Make appropriations.

4 PART II

5 SECTION 2. Section 201B-1, Hawaii Revised Statutes, is
6 amended by adding two new definitions to be appropriately
7 inserted and to read as follows:

8 "Best practice destination management" means a holistic
9 process that ensures that tourism adds value to the economy,
10 social fabric, and ecology of communities.

11 "Regenerative tourism" means tourism that focuses on
12 reducing the harm associated with tourism, and restoring the
13 natural environment from the harm already done by tourism,
14 through collective holistic efforts to:

- 15 (1) Make net positive contributions;
16 (2) Create conditions that allow life to flourish; and
17 (3) Improve destinations for current and future
18 generations for the well-being of the environment,
19 residents, indigenous communities, and visitors."

20 SECTION 3. Section 201B-3, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



1 "(a) Except as otherwise limited by this chapter, the
2 authority may:

3 (1) Sue and be sued;

4 (2) Have a seal and alter the same at its pleasure;

5 (3) Through its president and chief executive officer,
6 make and execute contracts and all other instruments
7 necessary or convenient for the exercise of its powers
8 and functions under this chapter; provided that the
9 authority may enter into contracts and agreements for
10 a period of up to five years, subject to the
11 availability of funds; [~~and~~] provided further that the
12 authority may enter into agreements for the use of the
13 convention center facility for a period of up to ten
14 years;

15 (4) Make and alter bylaws for its organization and
16 internal management;

17 (5) Unless otherwise provided in this chapter, adopt rules
18 in accordance with chapter 91 with respect to its
19 projects, operations, properties, and facilities;



- 1 (6) Through its president and chief executive officer,
2 represent the authority in communications with the
3 governor and the legislature;
- 4 (7) Through its president and chief executive officer,
5 provide for the appointment of officers, agents, a
6 sports coordinator, and employees, subject to the
7 approval of the board, prescribing their duties and
8 qualifications, and fixing their salaries, without
9 regard to chapters 76 and 78, if funds have been
10 appropriated by the legislature and allotted as
11 provided by law;
- 12 (8) Through its president and chief executive officer,
13 purchase supplies, equipment, or furniture;
- 14 (9) Through its president and chief executive officer,
15 allocate the space or spaces that are to be occupied
16 by the authority and appropriate staff;
- 17 (10) Through its president and chief executive officer,
18 engage the services of qualified persons to implement
19 the State's tourism [~~marketing~~] management plan or
20 portions thereof as determined by the authority;



- 1 (11) Through its president and chief executive officer,
2 engage the services of consultants on a contractual
3 basis for rendering professional and technical
4 assistance and advice;
- 5 (12) Procure insurance against any loss in connection with
6 its property and other assets and operations in
7 amounts and from insurers as it deems desirable;
- 8 (13) Contract for or accept revenues, compensation,
9 proceeds, and gifts or grants in any form from any
10 public agency or any other source;
- 11 (14) Develop, coordinate, and implement state policies and
12 directions for tourism and related activities taking
13 into account the economic, social, and physical
14 impacts of tourism on the State, Hawaii's natural
15 environment, [~~and~~] areas frequented by visitors[~~7~~],
16 best practice destination management, and regenerative
17 tourism;
- 18 (15) Have a permanent[~~7~~] and strong focus on Hawaii brand
19 management;



- 1 (16) Coordinate all agencies and advise the private sector
2 in the development of tourism-related activities and
3 resources;
- 4 (17) Work to eliminate or reduce barriers to travel to
5 provide a positive and competitive business
6 environment, including coordinating with the
7 department of transportation on issues affecting
8 airlines and air route development;
- 9 (18) Market and promote sports-related activities and
10 events;
- 11 (19) Coordinate the development of new products with the
12 counties and other persons in the public sector and
13 private sector, including the development of sports,
14 culture, health and wellness, education, technology,
15 agriculture, and nature tourism;
- 16 (20) Establish a public information and educational program
17 to inform the public of tourism and tourism-related
18 problems;
- 19 (21) Encourage the development of tourism educational,
20 training, and career counseling programs;



- 1 (22) Establish a program to monitor, investigate, and
2 respond to complaints about problems resulting
3 directly or indirectly from the tourism industry and
4 taking appropriate action as necessary;
- 5 (23) Develop and implement emergency measures to respond to
6 any adverse effects on the tourism industry, pursuant
7 to section 201B-9;
- 8 (24) Set and collect rents, fees, charges, or other
9 payments for the lease, use, occupancy, or disposition
10 of the convention center facility without regard to
11 chapter 91;
- 12 (25) Notwithstanding chapter 171, acquire, lease as lessee
13 or lessor, own, rent, hold, and dispose of the
14 convention center facility in the exercise of its
15 powers and the performance of its duties under this
16 chapter; and
- 17 (26) Acquire by purchase, lease, or otherwise, and develop,
18 construct, operate, own, manage, repair, reconstruct,
19 enlarge, or otherwise effectuate, either directly or
20 through developers, a convention center facility."



1 SECTION 4. Section 201B-6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§201B-6 Tourism [~~marketing~~] management plan; measures of
4 effectiveness. (a) The authority shall be responsible for
5 developing a tourism [~~marketing~~] management plan[-] that
6 includes tourism marketing, best practice destination
7 management, and regenerative tourism. The plan shall be a
8 single, comprehensive document that shall be updated every year
9 and include the following:

- 10 (1) Statewide Hawaii brand management efforts and
11 programs;
- 12 (2) Targeted markets;
- 13 (3) Efforts to enter into Hawaii brand management projects
14 that make effective use of cooperative programs;
- 15 (4) Program performance goals and targets that can be
16 monitored as market gauges and used as attributes to
17 evaluate the authority's programs; and
- 18 (5) The authority's guidance and direction for the
19 development and coordination of promotional and
20 marketing programs that build and promote the Hawaii
21 brand, which are implemented through county contracts



1 and agreements with destination marketing
 2 organizations or other qualified organizations,
 3 including:
 4 (A) Target markets and the results being sought;
 5 (B) Key performance indicators; and
 6 (C) Private sector collaborative or cooperative
 7 efforts that may be required.

8 As used in this ~~[section,]~~ subsection, "Hawaii brand" means
 9 the programs that collectively differentiate the Hawaii
 10 experience from other destinations.

11 (b) In accordance with subsection (a), the authority shall
 12 develop measures of effectiveness to assess the overall benefits
 13 and effectiveness of the ~~[marketing]~~ tourism management plan and
 14 include documentation of the progress of the ~~[marketing]~~ tourism
 15 management plan ~~[towards]~~ toward achieving the authority's
 16 strategic plan goals."

17 SECTION 5. Section 201B-7, Hawaii Revised Statutes, is
 18 amended by amending subsections (a) and (b) to read as follows:

19 "(a) The authority may enter into contracts and agreements
 20 that include the following:



- 1 (1) Tourism promotion, [~~marketing, and~~] development [7],
2 and management;
- 3 (2) Market development-related research;
- 4 (3) Product development and diversification issues focused
5 on visitors;
- 6 (4) Promotion, development, and coordination of sports-
7 related activities and events;
- 8 (5) Promotion of Hawaii, through a coordinated statewide
9 effort, as a place to do business, including high
10 technology business, and as a business destination;
- 11 (6) Reduction of barriers to travel;
- 12 (7) Marketing, management, use, operation, or maintenance
13 of the convention center facility, including the
14 purchase or sale of goods or services, logo items,
15 concessions, sponsorships, and license agreements, or
16 any use of the convention center facility as a
17 commercial enterprise; provided that effective
18 January 1, 2020, and thereafter, contracts issued
19 pursuant to this paragraph for the marketing of all
20 uses of the convention center facility may be issued



- 1 separately from the management, use, operation, or
2 maintenance of the facility;
- 3 (8) Tourism research and statistics to:
- 4 (A) Measure and analyze tourism trends;
- 5 (B) Provide information and research to assist in the
6 development and implementation of state tourism
7 policy; and
- 8 (C) Provide tourism information on:
- 9 (i) Visitor arrivals, visitor characteristics,
10 and expenditures;
- 11 (ii) The number of transient accommodation units
12 available, occupancy rates, and room rates;
- 13 (iii) Airline-related data including seat capacity
14 and number of flights;
- 15 (iv) The economic, social, and physical impacts
16 of tourism on the State; and
- 17 (v) The effects of the [~~marketing programs~~]
18 tourism management plan of the authority on
19 the measures of effectiveness developed
20 pursuant to section 201B-6(b); and



1 (9) Any and all other activities necessary to carry out
2 the intent of this chapter;
3 provided that the authority shall periodically submit a report
4 of the contracts and agreements entered into by the authority to
5 the governor, the speaker of the house of representatives, and
6 the president of the senate.

7 (b) The authority shall be responsible for:

8 (1) Creating a vision and developing a long-range
9 strategic plan for tourism in Hawaii;

10 (2) Promoting [~~marketing,~~] and developing the tourism
11 industry in the State; provided that the authority's
12 efforts include best practice destination management
13 and regenerative tourism;

14 (3) Arranging for the conduct of research through
15 contractual services with the University of Hawaii or
16 any agency or other qualified persons concerning
17 social, economic, and environmental aspects of tourism
18 development in the State;

19 (4) Providing technical or other assistance to agencies
20 and private industry upon request;



- 1 (5) Perpetuating the uniqueness of the native Hawaiian
2 culture and community, and their importance to the
3 quality of the visitor experience, by ensuring that:
- 4 (A) The Hawaiian culture is accurately portrayed by
5 Hawaii's visitor industry;
 - 6 (B) Hawaiian language is supported and normalized as
7 both an official language of the State as well as
8 the foundation of the host culture that draws
9 visitors to Hawaii;
 - 10 (C) Hawaiian cultural practitioners and cultural
11 sites that give value to Hawaii's heritage are
12 supported, nurtured, and engaged in sustaining
13 the visitor industry; and
 - 14 (D) A native Hawaiian cultural education and training
15 program is provided for the visitor industry
16 workforce having direct contact with visitors;
17 and
- 18 (6) Reviewing annually the expenditure of public funds by
19 any visitor industry organization that contracts with
20 the authority to perform tourism promotion,
21 [~~marketing, and~~] development, and management and



1 making recommendations necessary to ensure the
2 effective use of the funds for the development and
3 management of tourism."

4 SECTION 6. Section 201B-13, Hawaii Revised Statutes, is
5 amended by amending subsection (b) to read as follows:

6 "(b) The authority may establish an advisory group that
7 may meet monthly or as the authority deems necessary [~~which~~]
8 and may include the director of business, economic development,
9 and tourism, director of transportation, chairperson of the
10 board of land and natural resources, and executive director of
11 the state foundation on culture and the arts, to advise the
12 authority on matters relating to their respective departments or
13 agency in the preparation and execution of suggested:

- 14 (1) Measures to respond to tourism emergencies pursuant to
15 section 201B-9;
- 16 (2) Programs for the management, improvement, and
17 protection of Hawaii's natural environment and other
18 areas frequented by visitors;
- 19 (3) Measures to address issues affecting airlines, air
20 routes, and barriers to travel to Hawaii; [~~and~~]



- 1 (4) Programs to perpetuate the cultures of Hawaii and
- 2 engage local communities to sustain and preserve the
- 3 native Hawaiian culture[-]; and
- 4 (5) Programs that include tourism marketing, best practice
- 5 destination management, and regenerative tourism as
- 6 part of an overall tourism management plan."

7 SECTION 7. Section 201B-16, Hawaii Revised Statutes, is
 8 amended to read as follows:

9 "§201B-16 Annual report. The authority shall submit a
 10 complete and detailed report of its activities, expenditures,
 11 and results, including the progress of the tourism [~~marketing~~]
 12 management plan, developed pursuant to section 201B-6, toward
 13 achieving the authority's strategic plan goals, to the governor
 14 and the legislature at least twenty days prior to the convening
 15 of each regular session of the legislature. The annual report
 16 shall include the descriptions and evaluations of programs
 17 funded, together with any recommendations the authority may
 18 make."



1 PART III

2 SECTION 8. Chapter 201B, Hawaii Revised Statutes, is
3 amended by adding two new sections to part I to be appropriately
4 designated and to read as follows:

5 "§201B- Destination management action plan objectives.

6 The authority shall rebuild, redefine, and reset the direction
7 of tourism as provided in its destination management action
8 plans pursuant to this part. In order to achieve this goal, the
9 authority shall meet the following objectives:

- 10 (1) Create positive contributions to the quality of life
11 for each county's residents;
- 12 (2) Support the maintenance, enhancement, and protection
13 of each county's natural resources;
- 14 (3) Ensure the authentic Hawaiian culture is perpetuated
15 and accurately presented in experiences for residents
16 and visitors, materials, and marketing efforts;
- 17 (4) Maintain and improve visitor satisfaction of their
18 experience in each county;
- 19 (5) Strengthen the economic contribution of each county's
20 visitor industry; and



1 (6) Increase communication and understanding between the
2 residents and visitor industry.

3 §201B- County destination management action plans;

4 adoption; update. (a) To meet the destination management

5 objectives for each county, the Hawaii tourism authority shall

6 perform the actions specified in each of the following three-

7 year plans:

8 (1) Oahu Destination Management Action Plan;

9 (2) Maui Nui Destination Management Action Plan;

10 (3) Hawaii Island Destination Management Action Plan; and

11 (4) Kauai Destination Management Action Plan,

12 during the specified phases.

13 (b) Upon the adoption of a subsequent destination

14 management action plan for a county to replace the respective

15 county's plan listed in subsection (a), the authority shall

16 review, adopt, and make any adjustments necessary to match its

17 actions to any subsequently adopted destination management

18 action plan of a county."

19 SECTION 9. There is appropriated out of the general

20 revenues of the State of Hawaii the sum of \$ or so

21 much thereof as may be necessary for fiscal year 2022-2023 for



1 the Hawaii tourism authority to carry out the action items
 2 outlined in the three-year Oahu destination management action
 3 plan referred to in section 8 of this Act; provided that any
 4 funds appropriated pursuant to this section shall be in addition
 5 to and shall not supplant any portion of the base budget of the
 6 Hawaii tourism authority.

7 The sum appropriated shall be expended by the Hawaii
 8 tourism authority for the purposes of this Act.

9 SECTION 10. There is appropriated out of the general
 10 revenues of the State of Hawaii the sum of \$ or so
 11 much thereof as may be necessary for fiscal year 2022-2023 for
 12 the Hawaii tourism authority to carry out the action items
 13 outlined in the three-year Maui Nui destination management
 14 action plan referred to in section 8 of this Act; provided that
 15 any funds appropriated pursuant to this section shall be in
 16 addition to and shall not supplant any portion of the base
 17 budget of the Hawaii tourism authority.

18 The sum appropriated shall be expended by the Hawaii
 19 tourism authority for the purposes of this Act.

20 SECTION 11. There is appropriated out of the general
 21 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2022-2023 for
 2 the Hawaii tourism authority to carry out the action items
 3 outlined in the three-year Hawaii island destination management
 4 action plan referred to in section 8 of this Act; provided that
 5 any funds appropriated pursuant to this section shall be in
 6 addition to and shall not supplant any portion of the base
 7 budget of the Hawaii tourism authority.

8 The sum appropriated shall be expended by the Hawaii
 9 tourism authority for the purposes of this Act.

10 SECTION 12. There is appropriated out of the general
 11 revenues of the State of Hawaii the sum of \$ or so
 12 much thereof as may be necessary for fiscal year 2022-2023 for
 13 the Hawaii tourism authority to carry out the action items
 14 outlined in the three-year Kauai destination management action
 15 plan referred to in section 8 of this Act; provided that any
 16 funds appropriated pursuant to this section shall be in addition
 17 to and shall not supplant any portion of the base budget of the
 18 Hawaii tourism authority.

19 The sum appropriated shall be expended by the Hawaii
 20 tourism authority for the purposes of this Act.



1 PART IV

2 SECTION 13. Statutory material to be repealed is bracketed
3 and stricken. New statutory material is underscored.

4 SECTION 14. This Act shall take effect upon its approval;
5 provided that sections 9, 10, 11, and 12 shall take effect on
6 July 1, 2022.



Report Title:

HTA; Tourism Management Plan; Best Practice Destination Management; Regenerative Tourism; Destination Action Management Plans; Appropriation

Description:

Includes best practice destination management and regenerative tourism under the scope and responsibilities of the Hawaii Tourism Authority (HTA). Requires HTA to develop a tourism management plan that includes tourism marketing, best practice destination management, and regenerative tourism. Appropriates moneys to HTA to carry out the actions in the county destination management action plans. (SD3)

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