

JAN 21 2022

A BILL FOR AN ACT

RELATING TO TOURISM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that since the
2 implementation of the safe travels Hawaii program in October of
3 2020, there has been a steady increase of visitors to the State.
4 Visitor activities can impact the natural resources of the
5 islands, including endangered and indigenous species. Indeed,
6 there has been a rise in the number of incidents of visitors
7 disrupting the State's protected areas and wildlife. Around the
8 summer of 2021, there were at least two reported instances of
9 visitors being investigated and fined for touching Hawaiian monk
10 seals and one reported incident of a visitor lifting a green sea
11 turtle out of the water. Both of which are critically
12 endangered species.

13 The purpose of this Act is to require the Hawaii tourism
14 authority, in collaboration with the department of land and
15 natural resources, to implement and administer tourism related
16 initiatives that are designed to educate visitors on the State's
17 protected areas and wildlife.



SECTION 2. Chapter 197, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§197- Promise to preserve and protect Hawaii's environment. (a) All aircraft and vessel passengers entering the State shall sign a declaration form entitled "Promise to Preserve and Protect Hawaii's Environment" wherein the passengers shall agree to preserve and protect Hawaii's unique and fragile environment by complying with the laws protecting endangered species and acknowledging the information contained in the public service announcements shown under initiatives administered pursuant to section 201B-7(b)(6)(B). Any person who defaces the declaration form required under this section, gives false information, or fails to complete the declaration form is in violation of this section.

(b) It shall be the responsibility of the transportation company to distribute, prior to the debarkation of passengers and baggage, the "Promise to Preserve and Protect Hawaii's Environment" declaration form to each passenger of any aircraft or vessel originating in the continental United States or its possessions or from any other area not under the jurisdiction of



1 the appropriate federal agency in order that the passenger can
2 comply with this section. All passengers shall complete the
3 declaration form, except that one adult member of a family may
4 complete the declaration form for other family members. Failure
5 to comply with this requirement is a violation of this section.

6 (c) Completed declaration forms shall be collected by the
7 transportation company and be delivered to the department.
8 Failure to distribute or collect declaration forms or to deliver
9 completed forms is a violation of this section.

10 (d) Any person who violates this section shall be subject
11 to a fine not to exceed \$ _____ per violation.

12 (e) The department may adopt rules pursuant to chapter 91
13 to implement this section."

14 SECTION 3. Section 201B-7, Hawaii Revised Statutes, is
15 amended by amending subsection (b) to read as follows:

16 "(b) The authority shall be responsible for:

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

19 (2) Promoting, marketing, and developing the tourism
20 industry in the State;



- 1 (3) Arranging for the conduct of research through
2 contractual services with the University of Hawaii or
3 any agency or other qualified persons concerning
4 social, economic, and environmental aspects of tourism
5 development in the State;
- 6 (4) Providing technical or other assistance to agencies
7 and private industry upon request;
- 8 (5) Perpetuating the uniqueness of the native Hawaiian
9 culture and community, and their importance to the
10 quality of the visitor experience, by ensuring that:
- 11 (A) The Hawaiian culture is accurately portrayed by
12 Hawaii's visitor industry;
- 13 (B) Hawaiian language is supported and normalized as
14 both an official language of the State as well as
15 the foundation of the host culture that draws
16 visitors to Hawaii;
- 17 (C) Hawaiian cultural practitioners and cultural
18 sites that give value to Hawaii's heritage are
19 supported, nurtured, and engaged in sustaining
20 the visitor industry; and



(D) A native Hawaiian cultural education and training program is provided for the visitor industry workforce having direct contact with visitors; [and]

(6) Implementing and administering tourism related initiatives, in collaboration with the department of land and natural resources, that are designed to educate visitors on the State's protected areas and wildlife that shall include the following:

(A) Creating public service announcement videos for transportation companies to play for passengers arriving in the State to educate visitors on the State's protected areas and endangered and endemic wildlife, conservation of the State's resources, and compliance with state laws;

(B) Requiring transportation companies arriving in the State to play the public service announcements provided by the authority to educate visitors on the State's protected areas and endangered and endemic wildlife, conservation



1 of the State's resources, and compliance with
2 state laws prior to landing; and

3 (C) Requiring passengers of transportation companies
4 arriving in the State to sign a "Promise to
5 Preserve and Protect Hawaii's Environment"
6 declaration form wherein the passenger agrees to
7 preserve and protect Hawaii's unique and fragile
8 environment by complying with the federal and
9 state laws protecting endangered species and
10 acknowledging the information contained in the
11 public service announcements pursuant to section
12 197- ; and

13 [~~(6)~~] (7) Reviewing annually the expenditure of public
14 funds by any visitor industry organization that
15 contracts with the authority to perform tourism
16 promotion, marketing, and development and making
17 recommendations necessary to ensure the effective use
18 of the funds for the development of tourism."

19 SECTION 4. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



S.B. NO. 2208

1 SECTION 5. This Act shall take effect upon its approval.

2

INTRODUCED BY:

Bennette J. Minshew



S.B. NO. 2208

Report Title:

Hawaii Tourism Authority; Initiatives; Education; Endangered Species; Promise to Preserve and Protect Hawaii's Environment

Description:

Requires the Hawaii Tourism Authority, in collaboration with the Department of Land and Natural Resources, to implement and administer tourism related initiatives that are designed to educate visitors on the State's protected areas and wildlife, including public service announcement videos to be shown by transportation companies. Requires aircraft and vessel passengers to complete "Promise to Preserve and Protect Hawaii's Environment" declaration forms. Requires transportation companies to distribute and collect declaration forms for delivery to the Department of Land and Natural Resources.

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