
A BILL FOR AN ACT

RELATING TO DESTINATION MANAGEMENT.

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

1 SECTION 1. Chapter 201B, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§201B- Destination management action plans; counties;

5 objectives; execution. To meet the destination management

6 objectives for each county, the authority shall perform the

7 actions specified in each of the following 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; provided that the execution of each

13 destination management action plan shall be dependent on the

14 cooperation and participation of the applicable state or county

15 agency or an advisory group established pursuant to section

16 201B-13."



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

4 "Destination management" means a collaborative and
5 coordinated process with public, private, and community
6 stakeholders to manage the various elements of a visitor
7 destination to:

8 (1) Create, implement, and monitor strategies that attract
9 targeted visitor markets and improve visitor
10 experiences;

11 (2) Improve natural and cultural resources valued by
12 Hawaii residents and visitors;

13 (3) Develop and maintain tourism-related infrastructure to
14 prevent overcrowding and overtaxing sites and
15 resources; and

16 (4) Ensure that the provision of services enhances the
17 visitor experience.

18 "Hawaii brand" means the qualities and programs that
19 collectively differentiate the Hawaii experience from other
20 destinations.

21 "Regenerative tourism" means a tourism model that:



- 1 (1) Is designed and carefully managed to bring net
- 2 benefits to local communities and destinations; and
- 3 (2) Implements an innovative and sustainable economic
- 4 development plan to:
- 5 (A) Make net positive contributions;
- 6 (B) Create conditions that allow communities to
- 7 flourish;
- 8 (C) Engage in collaborative efforts that provide
- 9 visitors with genuine and meaningful experiences
- 10 in Hawaii; and
- 11 (D) Improve destinations for current and future
- 12 generations for the well-being of the
- 13 environment, residents, indigenous communities,
- 14 and visitors."

15 SECTION 3. Section 201B-3, Hawaii Revised Statutes, is
 16 amended to read as follows:

17 "**§201B-3 Powers, generally.** (a) Except as otherwise
 18 limited by this chapter, the authority may:

- 19 (1) Sue and be sued;
- 20 (2) Have a seal and alter the same at its pleasure;



- 1 (3) Through its president and chief executive officer,
2 make and execute contracts and all other instruments
3 necessary or convenient for the exercise of its powers
4 and functions under this chapter; provided that the
5 authority may enter into contracts and agreements for
6 a period of up to five years, subject to the
7 availability of funds; [~~and~~] provided further that the
8 authority may enter into agreements for the use of the
9 convention center facility for a period of up to ten
10 years;
- 11 (4) Make and alter bylaws for its organization and
12 internal management;
- 13 (5) Unless otherwise provided in this chapter, adopt rules
14 in accordance with chapter 91 with respect to its
15 projects, operations, properties, and facilities;
- 16 (6) Through its president and chief executive officer,
17 represent the authority in communications with the
18 governor and [~~the~~] legislature;
- 19 (7) Through its president and chief executive officer,
20 provide for the appointment of officers, agents, a
21 sports coordinator, and employees, subject to the



- 1 approval of the board, prescribing their duties and
2 qualifications, and fixing their salaries, without
3 regard to chapters 76 and 78, if funds have been
4 appropriated by the legislature and allotted as
5 provided by law;
- 6 (8) Through its president and chief executive officer,
7 purchase supplies, equipment, or furniture;
- 8 (9) Through its president and chief executive officer,
9 allocate the space or spaces that are to be occupied
10 by the authority and appropriate staff;
- 11 (10) Through its president and chief executive officer,
12 engage the services of qualified persons to implement
13 the State's strategic tourism [~~marketing~~] management
14 plan or portions thereof as determined by the
15 authority;
- 16 (11) Through its president and chief executive officer,
17 engage the services of consultants on a contractual
18 basis for rendering professional and technical
19 assistance and advice;



- 1 (12) Procure insurance against any loss in connection with
- 2 its property and other assets and operations in
- 3 amounts and from insurers as it deems desirable;
- 4 (13) Contract for or accept revenues, compensation,
- 5 proceeds, and gifts or grants in any form from any
- 6 public agency or any other source;
- 7 (14) Develop, coordinate, and implement state policies and
- 8 directions for tourism and related activities taking
- 9 into account the economic, social, and physical
- 10 impacts of tourism on the State, Hawaii's natural
- 11 environment, and areas frequented by visitors;
- 12 (15) Have a permanent, strong focus on Hawaii brand
- 13 management;
- 14 (16) Coordinate all agencies and advise the private sector
- 15 in the development of tourism-related activities and
- 16 resources;
- 17 (17) Work to eliminate or reduce barriers to travel to
- 18 provide a positive and competitive business
- 19 environment, including coordinating with the
- 20 department of transportation on issues affecting
- 21 airlines and air route development;



- 1 (18) Market and promote sports-related activities and
2 events;
- 3 (19) Coordinate the development of new products with the
4 counties and other persons in the public sector and
5 private sector, including the development of sports,
6 culture, health and wellness, education, technology,
7 agriculture, and nature tourism;
- 8 (20) Establish a public information and educational program
9 to inform the public of tourism and tourism-related
10 problems;
- 11 (21) [~~Encourage~~] Coordinate the development of tourism
12 educational, training, and career counseling programs;
- 13 (22) Establish a program to monitor, investigate, and
14 respond to complaints about problems resulting
15 directly or indirectly from the tourism industry and
16 taking appropriate action as necessary;
- 17 (23) Develop and implement emergency measures to respond to
18 any adverse effects on the tourism industry, pursuant
19 to section 201B-9;
- 20 (24) Set and collect rents, fees, charges, or other
21 payments for the lease, use, occupancy, or disposition



1 of the convention center facility without regard to
2 chapter 91;

3 (25) Notwithstanding chapter 171, acquire, lease as lessee
4 or lessor, own, rent, hold, and dispose of the
5 convention center facility in the exercise of its
6 powers and the performance of its duties under this
7 chapter; [~~and~~]

8 (26) Acquire by purchase, lease, or otherwise, and develop,
9 construct, operate, own, manage, repair, reconstruct,
10 enlarge, or otherwise effectuate, either directly or
11 through developers, a convention center facility[~~-~~];

12 (27) Enhance the tourism industry in the State to grow its
13 positive contributions to residents of the State;
14 provided that the authority's initiatives shall follow
15 destination management practices and integrate
16 regenerative tourism; and

17 (28) Focus on perpetuating the uniqueness of the Hawaiian
18 culture and community and their significance to the
19 quality of the visitor experience by ensuring that:

20 (A) The Hawaiian culture is accurately portrayed by
21 Hawaii's visitor industry;



- 1 (B) The Hawaiian language is supported and normalized
- 2 as an official language of the State;
- 3 (C) Hawaiian cultural practitioners and cultural
- 4 sites are supported, nurtured, and engaged in
- 5 sustaining the visitor industry; and
- 6 (D) A Hawaiian cultural education and training
- 7 program is provided for the members of the
- 8 visitor industry workforce who have direct
- 9 contact with visitors.

10 (b) The authority shall do any and all things necessary to

11 carry out its purposes, to exercise the powers and

12 responsibilities given in this chapter, and to perform other

13 functions required or authorized by law.

14 [~~(c) As used in this section, "Hawaii brand" shall have~~

15 ~~the same meaning as in section 201B-6.]"~~

16 SECTION 4. Section 201B-6, Hawaii Revised Statutes, is

17 amended to read as follows:

18 "~~§201B-6 [Tourism marketing]~~ **Strategic tourism management**

19 **plan; measures of effectiveness.** (a) The authority shall be

20 responsible for developing a strategic tourism [~~marketing~~]

21 management plan[=] that advances tourism marketing, complies



1 with destination management best practices, and promotes
2 regenerative tourism. The plan shall be a single, comprehensive
3 document that shall be updated every year and include the
4 following:

- 5 (1) Statewide Hawaii brand management efforts and
6 programs;
- 7 (2) Targeted markets;
- 8 (3) Efforts to enter into Hawaii brand management projects
9 that make effective use of cooperative programs;
- 10 (4) Program performance goals and targets that can be
11 monitored as market gauges and used as attributes to
12 evaluate the authority's programs; [~~and~~]
- 13 (5) The authority's guidance and direction for the
14 development and coordination of promotional and
15 marketing programs that build and promote the Hawaii
16 brand, which are implemented through contracts and
17 agreements with destination marketing organizations or
18 other qualified organizations, including:
 - 19 (A) Target markets and the results being sought;
 - 20 (B) Key performance indicators; and



1 (C) Private sector collaborative or cooperative
2 efforts that may be required~~[+]~~; and

3 (6) Statewide destination management and regenerative
4 tourism efforts and programs.

5 ~~[As used in this section, "Hawaii brand" means the programs~~
6 ~~that collectively differentiate the Hawaii experience from other~~
7 ~~destinations.]~~

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

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

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

18 (1) Tourism promotion, marketing, ~~[and]~~ development~~[+]~~,
19 and destination management;

20 (2) Market development-related research;



- 1 (3) Product development and diversification issues focused
2 on visitors;
- 3 (4) Promotion, development, and coordination of festivals,
4 community events, cultural activities, environmental
5 stewardship activities, sports-related activities, and
6 events[+] that strengthen the relationships between
7 the place and people for Hawaii's residents and
8 visitors alike;
- 9 (5) Promotion of Hawaii, through a coordinated statewide
10 effort, as a place to do business, including high
11 technology business, and as a business destination;
- 12 (6) Reduction of barriers to travel;
- 13 (7) Marketing, management, use, operation, or maintenance
14 of the convention center facility, including the
15 purchase or sale of goods or services, logo items,
16 concessions, sponsorships, and license agreements, or
17 any use of the convention center facility as a
18 commercial enterprise; provided that effective
19 January 1, 2020, and thereafter, contracts issued
20 pursuant to this paragraph for the marketing of all
21 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~~] strategic
18 tourism management programs of the authority
19 on 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) Developing destination management action plans for
11 each county;

12 ~~(+2)~~ (3) Promoting, marketing, and developing the tourism
13 industry in the State;

14 ~~(+3)~~ (4) 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)~~ (5) Providing technical or other assistance to
20 agencies 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, marketing,
21 and development and making recommendations necessary



1 to ensure the effective use of the funds for the
2 development of tourism."

3 SECTION 6. Section 201B-16, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "~~§201B-16~~ **Annual report.** The authority shall submit a
6 complete and detailed report of its activities, expenditures,
7 and results, including the progress of the strategic tourism
8 ~~[marketing]~~ management plan developed pursuant to section
9 201B-6, toward achieving the authority's strategic plan goals,
10 to the governor and ~~[the]~~ legislature ~~[at least]~~ no later than
11 twenty days prior to the convening of each regular session of
12 the legislature. The annual report shall include the
13 descriptions and evaluations of programs funded, together with
14 any recommendations by the authority ~~[may make]~~."

15 SECTION 7. Section 201B-5, Hawaii Revised Statutes, is
16 repealed.

17 ~~["§201B-5 Exemption of Hawaii tourism authority from~~
18 ~~administrative supervision of boards and commissions.~~
19 ~~Notwithstanding any law to the contrary, the authority shall be~~
20 ~~exempt from section 26-35 with the exception of section 26-~~
21 ~~35(a)(2), (3), (7), (8) and subsection (b)."]~~



1 SECTION 8. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 9. This Act shall take effect on July 1, 2024.



Report Title:

HTA; Destination Management; Regenerative Tourism; Strategic Tourism Management Plan; Administrative Supervision of Boards and Commission

Description:

Requires the Hawaii Tourism Authority to develop destination management action plans for each county and to perform specific actions in each plan. Expands the powers and duties of the Hawaii Tourism Authority. Repeals the exemption of the Hawaii Tourism Authority from administrative supervision of boards and commissions. Requires the strategic tourism management plan to include statewide destination management and regenerative tourism efforts and programs. Renames the tourism marketing plan as the strategic tourism management plan. (CD1)

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