

JAN 24 2024

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 three-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; provided that the execution of each
13 destination management action plan shall be dependent on the
14 cooperation and participation of the applicable county or state
15 agency or agency in the advisory group, 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 and private stakeholders to
6 manage the various elements of a visitor destination to:

- 7 (1) Create, implement, and monitor strategies that attract
8 targeted visitor markets and improve visitor
9 experiences;
10 (2) Improve natural and cultural resources valued by both
11 Hawaii residents and visitors;
12 (3) Develop and maintain tourism-related infrastructure to
13 prevent overcrowding and overtaxing sites and
14 resources; and
15 (4) Ensure that the provision of services enhances the
16 visitor experience.

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

20 "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 the 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, as well as their significance
19 to the quality of the visitor experience, by ensuring
20 that:



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

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

13 carry out its purposes, to exercise the powers and

14 responsibilities given in this chapter, and to perform other

15 functions required or authorized by law.

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

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

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

19 amended to read as follows:

20 "**§201B-6** ~~[Tourism marketing]~~ **Strategic tourism management**

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



1 responsible for developing a strategic tourism [~~marketing~~]
2 management plan[-] that advances tourism marketing, complies
3 with destination management best practices, and promotes
4 regenerative tourism. The plan shall be a single, comprehensive
5 document that shall be updated every year and include the
6 following:

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



- 1 (B) Key performance indicators; and
- 2 (C) Private sector collaborative or cooperative
- 3 efforts that may be required~~[+]~~; and
- 4 (6) Statewide destination management and regenerative
- 5 tourism efforts and programs.

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

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

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

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

- 19 (1) Tourism promotion, marketing, ~~[and]~~ development~~[+]~~,
20 and destination management;
- 21 (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 programs of the
18 authority on the measures of effectiveness
19 developed pursuant to section 201B-6(b); and
- 20 (9) Any and all other activities necessary to carry out
21 the intent of this chapter;



1 provided that the authority shall periodically submit a report
2 of the contracts and agreements entered into by the authority to
3 the governor, the speaker of the house of representatives, and
4 the president of the senate.

5 (b) The authority shall be responsible for:

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

8 (2) Developing destination management action plans for
9 each county;

10 ~~[(2)]~~ (3) Promoting, marketing, and developing the tourism
11 industry in the State;

12 ~~[(3)]~~ (4) Arranging for the conduct of research through
13 contractual services with the University of Hawaii or
14 any agency or other qualified persons concerning
15 social, economic, and environmental aspects of tourism
16 development in the State;

17 ~~[(4)]~~ (5) Providing technical or other assistance to
18 agencies and private industry upon request;

19 ~~[(5)] Perpetuating the uniqueness of the native Hawaiian~~
20 ~~culture and community, and their importance to the~~
21 ~~quality of the visitor experience, by ensuring that:~~



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

1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect upon its approval.

4

INTRODUCED BY: *Dan Claitor*



S.B. NO. 3364

Report Title:

Tourism; HTA; Destination Management; Regenerative Tourism

Description:

Amends the powers and duties of the Hawaii Tourism Authority. Requires the Hawaii Tourism Authority to develop destination management action plans for each county and to perform the actions specified in each destination management action plan. Renames the Hawaii Tourism Authority's tourism marketing plan as the strategic tourism management plan and amends the required components of the plan. Requires the strategic tourism management plan to include statewide destination management and regenerative tourism efforts and programs.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

