

ACT 235

S.B. NO. 756

A Bill for an Act Relating to Film Making.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that commercial filming is viewed as an attractive, non-polluting industry which does not cause depletion of the State's natural resources and has a proven record for generating income and employment for Hawaii and her people. This industry also helps advertise the natural beauty of the islands and the charming intermixture of the diverse cultures which comprise the unique island way of life. Motion picture and television production strongly supports tourism, a mainstay of our State's economy. Productions such as Magnum, P.I., The Thorn Birds, Fantasy Island, South Pacific, Hawaii 5-0 and the many fine commercials filmed locally have served to carry the image of Hawaii to the far reaches of the world. It is not an exaggeration to say that these features and

commercials have done much to promote Hawaii as one of the leading visitor destination areas worldwide.

Since 1976, the nearly 400 features and television specials and series filmed in Hawaii, with gross budgets totalling \$326 million, have generated more than \$14 million in tax revenues. For the past seven years, this industry has provided an average 1100 jobs annually for our people and has had a total spending effect of nearly \$350 million on the State's economy.

Generally, motion picture and television feature productions, profit and non-profit documentaries, commerical video taping and still photography on state lands have been authorized by all state agencies. The department of planning and economic development currently serves as the official state liaison with the film industry which coordinates permit applications and provides other supportive services required by film producers.

The legislature finds that there may be instances of commercial filming activity lost to Hawaii attributable partly to the de-centralization involved in the permit process and the attendant duplication found to be existing in the promotion of the film production industry. The resulting loss of revenue dollars and jobs is detrimental to our State's goals of assisting and promoting this industry and attracting new industries to the State.

The purpose of this Act is to facilitate the film permit process and to support the policies, programs and activities established by the State to promote and encourage the motion picture and television production industry.

SECTION 2. Section 201-3, Hawaii Revised Statutes, is amended to read as follows:

"§201-3 Specific research and promotional functions of the department.

Without prejudice to its general functions and duties the department of planning and economic development shall have specific functions in the following areas:

- (1) Agricultural development. The department shall (i) conduct surveys and feasibility studies to determine the need for and value of additional research in the production of agricultural commodities, and the processing and marketing of agricultural food products; (ii) promote an informational program directed to the consuming public both in Hawaii and in the mainland United States relative to the qualities of agricultural commodities produced in Hawaii and in the maximum utilization of same, including processed agricultural food products; and (iii) make grants to and contracts with appropriate agencies, firms, or individuals for surveys, studies, research, and promotion. With respect to agricultural development, the department's activities shall be consistent with the policies, programs, and activities of the governor's agriculture coordinating committee.
- (2) Industrial development. The department shall determine through technical and economic surveys the profit potential of new or expanded industrial undertakings; develop through research projects and other means new and improved industrial products and processes; promote studies and surveys to determine consumer preference as to design and quality and to determine the best methods of packaging, transporting,

and marketing the State's industrial products; disseminate information to assist the present industries of the State, to attract new industries to the State, and to encourage capital investment in present and new industries in the State; assist associations of producers and distributors of industrial products to introduce such products to consumers; and make such grants or contracts as may be necessary or advisable to accomplish the foregoing.

- (3) Land development. The department shall encourage the most productive use of all land in the State in accordance with a general plan developed by the department; encourage the improvement of land tenure practices on leased private lands; promote an informational program directed to landowners, producers of agricultural and industrial commodities, and the general public regarding the most efficient and most productive use of the lands in the State; and make such grants or contracts as may be necessary or advisable to accomplish the foregoing.
- (4) Credit development. The department shall conduct a continuing study of agricultural and industrial credit needs; encourage the development of additional private and public credit sources for agricultural and industrial enterprises; promote an informational program to acquaint financial institutions with agricultural and industrial credit needs and the potential for agricultural and industrial expansion, and inform producers of agricultural and industrial products as to the manner in which to qualify for loans; and make such grants or contracts as may be necessary or advisable to accomplish the foregoing.
- (5) Promotion. The department shall disseminate information developed for or by the department pertaining to economic development to assist present industry in the State, attract new industry and investments to the State, and assist new and emerging industry with good growth potential or prospects in jobs, exports, and new products. The industrial and economic promotional activities of the department may include the use of literature, advertising, demonstrations, displays, market testing, lectures, travel, motion picture and slide films, and such other promotional and publicity devices as may be appropriate.

Effective upon approval of this Act and until June 30, 1984, the department shall be the central agency to coordinate film permit activities in the State and may, subject to restrictions as the department deems necessary and in consultation with and by agreements with affected agencies, issue a permit to any person for the temporary occupancy of state lands or interests therein for the purpose of allowing commercial filming of motion pictures and television feature productions, profit and non-profit documentaries, commercial video taping and still photography; provided that the department may allow a permit to continue on a day-to-day basis for additional one week periods. Coordination with appropriate agencies shall precede issuance of a permit.

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A permit shall be issued upon written application in the form prescribed by the department and upon collection of the fee determined by the department under rules established pursuant to chapter 91."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 9, 1983.)