

ACT 246

H.B. NO. 1254

A Bill for an Act Relating to Tourism Development.

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

SECTION 1. The legislature finds that it is in the best interests of the State to promote its expertise and leadership in tourism development both regionally and internationally. To assist in this role, the legislature enacted Act 358 in 1989 to establish an international tourism consulting center and clearinghouse within the department of business, economic development, and tourism to promote, assist, plan, and coordinate the provision of tourism-related consulting, training, and research services by private consultants, nonprofit organizations, and educational institutions in Hawaii throughout the Pacific and Asian region. Funds totalling \$135,000 for fiscal year 1989-1990 and \$98,600 for fiscal year 1990-1991 were appropriated to establish and staff the center.

Despite the advantages that such a consulting center can provide in promotion of Hawaii's regional and international leadership, the legislature finds that the department of business, economic development, and tourism did not expend its first-year appropriation. Since 1989, it has become increasingly apparent that Hawaii does have a role to play in marketing its expertise as evidenced by the nomination of the University of Hawaii as one of the World Tourism Organization's international education and training centers. In 1990, the state-sponsored Hawaii Resort Consultants Study Mission to Japan found strong Japanese interest in using Hawaii firms with the experience and expertise to assist in Japanese domestic resort development which is expected to expand dramatically in the next decade. This need will grow as resort and other tourism-related development also increases in the rest of Asia and the Pacific, especially in Southeast Asia. If Hawaii is to benefit from this trend, the State will need to implement the consulting center and clearinghouse to assist Hawaii's firms and educational institutions to position themselves more strategically. The legislature further finds that the implementation of the center and clearinghouse would benefit from administrative support and guidance within an office that has compatible goals and objectives.

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The purpose of this Act is to transfer the responsibility for an international tourism consulting center and clearinghouse from the department of business, economic development, and tourism to the office of international relations within the office of the governor.

SECTION 2. The international tourism consulting center and clearinghouse established by Act 358, Session Laws of Hawaii 1989, is transferred from the department of business, economic development, and tourism to the office of the international relations within the office of the governor for administrative purposes. The office of international relations shall work closely with the department of business, economic development, and tourism in the coordination of the activities associated with the international tourism consulting center and clearinghouse.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$135,000, or so much thereof as may be necessary for fiscal year 1991-1992, and \$100,000, or so much thereof as may be necessary for fiscal year 1992-1993, to continue the operations of the international tourism consulting center and clearinghouse, including the hiring of necessary staff. The sum appropriated shall be expended by the office of the governor for the purposes of this Act.

SECTION 4. All rights, powers, functions, and duties of the international tourism consulting center and clearinghouse of the department of business, economic development, and tourism are transferred to the office of the governor.

All officers and employees whose functions are transferred by this Act shall be transferred with their functions and shall continue to perform their regular duties upon their transfer, subject to the state personnel laws and this Act.

No officer or employee of the State having tenure shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefit or privilege as a consequence of this Act, and such officer or employee may be transferred or appointed to a civil service position without the necessity of examination; provided that the officer or employee possesses the minimum qualifications for the position to which transferred or appointed; and provided that subsequent changes in status may be made pursuant to applicable civil service and compensation laws.

An officer or employee of the State who does not have tenure and who may be transferred or appointed to a civil service position as a consequence of this Act shall become a civil service employee without the loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefits or privileges and without the necessity of examination; provided that such officer or employee possesses the minimum qualifications for the position to which transferred or appointed.

If an office or position held by an officer or employee having tenure is abolished, the officer or employee shall not thereby be separated from public employment, but shall remain in the employment of the State with the same pay and classification and shall be transferred to some other office or position for which the officer or employee is eligible under the personnel laws of the State as determined by the head of the department or the governor.

SECTION 5. All appropriations, records, equipment, machines, files, supplies, contracts, books, papers, documents, maps, and other personal property heretofore made, used, acquired, or held by the international tourism consulting center and clearinghouse of the department of business, economic development,

and tourism relating to the functions transferred to the office of the governor shall be transferred with the functions to which they relate.

SECTION 6. This Act shall take effect on July 1, 1991.

(Approved June 12, 1991.)