

A Bill for an Act Relating to the Hawaii Tourism Authority.

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

SECTION 1. Section 201B-3, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

- “(a) Except as otherwise limited by this chapter, the authority may:
- (1) Sue and be sued;
  - (2) Have a seal and alter the same at pleasure;
  - (3) Make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions under this chapter; provided that the authority may enter into contracts and agreements for a period of up to five years, subject to the availability of funds; and provided further that the authority may enter into agreements for the use of the convention center facility for a period of up to ten years;
  - (4) Make and alter bylaws for its organization and internal management;
  - (5) Unless otherwise provided in this chapter, adopt rules in accordance with chapter 91 with respect to its projects, operations, properties, and facilities;
  - (6) Through its executive director represent the authority in communications with the governor and with the legislature;
  - (7) Through its executive director appoint officers, agents, and employees, prescribe their duties and qualifications, and fix their salaries, without regard to chapters 76 and 78;
  - (8) Through its executive director purchase supplies, equipment, or furniture;
  - (9) Through its executive director allocate the space or spaces which are to be occupied by the authority and appropriate staff;
  - (10) Engage the services of qualified persons to implement the State’s tourism marketing plan or portions thereof as determined by the authority;
  - (11) Engage the services of consultants on a contractual basis for rendering professional and technical assistance and advice;
  - (12) Procure insurance against any loss in connection with its property and other assets and operations in such amounts and from such insurers as it deems desirable;
  - (13) Contract for or accept revenues, compensation, proceeds, and gifts or grants in any form from any public agency or any other source, including any revenues or proceeds arising from the operation or use of the convention center;
  - ~~[(14)]~~ ~~Create a vision and develop a long range plan for tourism in Hawaii;~~  
~~[(15)]~~<sup>1</sup> (14) Develop, coordinate, and implement state policies and directions for tourism and related activities taking into account the economic, social, and physical impacts of tourism on the State and its natural resources infrastructure; provided that the authority shall support the efforts of other state and county departments or agencies to manage, improve, and protect Hawaii’s natural environment and areas frequented by visitors;
  - ~~[(16)]~~ ~~Develop and implement the state tourism strategic marketing plan, which shall be updated every three years, to promote and market the State as a desirable leisure and business visitor destination;~~
  - (15) Have a permanent, strong focus on marketing and promotion;

- [(18)] (16) Conduct market development-related research as necessary;
- [(19)] (17) Coordinate all agencies and advise the private sector in the development of tourism-related activities and resources;
- [(20)] (18) Work to eliminate or reduce barriers to travel in order to provide a positive and competitive business environment, including coordinating with the department of transportation on issues affecting airlines and air route development;
- [(21)] (19) Market and promote sports-related activities and events;
- [(22)] (20) Coordinate the development of new products with the counties and other public sectors and private sectors, including the development of sports, culture, health[,], and wellness, education, [business,] technology, agriculture, and [eco-tourism;] nature tourism;
- [(23)] (21) Establish a public information and educational program to inform the public of tourism and tourism-related problems;
- [(24)] (22) Encourage the development of tourism educational, training, and career counseling programs;
- [(25)] (23) Establish a program to monitor, investigate, and respond to complaints about problems resulting directly or indirectly from the tourism industry and taking appropriate action as necessary;
- [(26)] (24) Set and collect rents, fees, charges, or other payments for the lease, use, occupancy, or disposition of the convention center facility without regard to chapter 91;
- [(27)] (25) Notwithstanding the provisions of chapter 171, acquire, lease as lessee or lessor, own, rent, hold, and dispose of the convention center facility in the exercise of its powers and the performance of its duties under this chapter; and
- [(28)] (26) Acquire by purchase, lease, or otherwise, and develop, construct, operate, own, manage, repair, reconstruct, enlarge, or otherwise effectuate, either directly or through developers, a convention center facility.
- (b) The authority shall be responsible for:
- (1) Promoting, marketing, and developing the tourism industry in the State;
  - (2) Arranging for the conduct of research through contractual services with the University of Hawaii or any agency or other qualified persons concerning social, economic, and environmental aspects of tourism development in the State;
  - (3) Providing technical or other assistance to agencies and private industry upon request;
  - (4) ~~Developing and implementing the state tourism marketing plan; and~~ Creating a vision and developing a long-range strategic plan for tourism in Hawaii; and
  - (5) Reviewing annually the expenditure of public funds by any visitor industry organization with which the authority contracts to perform tourism promotion, marketing, and development and making recommendations necessary to ensure the effective use of the funds for the development of tourism. The authority shall also prepare annually a report of expenditures, including descriptions and evaluations of programs funded, together with any recommendations the authority may make and shall submit the report to the governor and the legislature as part of the annual report required under section 201B-16.”

SECTION 2. Section 201B-6, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The authority shall be responsible for developing a [strategie] tourism marketing plan that shall be updated every [~~three years~~] year and includes the following:

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- ~~[(1) Identification and evaluation of current and future tourism needs for the different regions of the State;~~
- ~~(2) Goals and objectives in accordance with identified needs;~~
- ~~(3) (1) Statewide promotional efforts and programs;~~
- ~~[(4)]<sup>1</sup> (2) Targeted markets;~~
- ~~[(5)] (3) Efforts to enter into brand marketing projects that make effective use of cooperative advertising programs;~~
- ~~[(6)] (4) Measures of effectiveness for the authority's promotional programs; and~~
- ~~[(7)] (5) Coordination of marketing plans of all destination marketing organizations receiving state funding prior to finalization of the authority's marketing plan.~~

~~[The authority shall also develop and include in its marketing plan, goals and objectives for marketing the State to the techno-tourism niche as well as for integrating marketing objectives with existing and potential state telecommunications and information resources in the public and private sectors. The authority shall also coordinate the requirements for and availability of the State's existing and potential telecommunications and information resources with the department of accounting and general services.]''~~

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

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

(Approved April 19, 2004.)

### Note

- 1. So in original.