

JAN 19 2007

A BILL FOR AN ACT

RELATING TO TOURISM.

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

1 SECTION 1. The legislature finds that the *Special Master's*
2 *Report to the Hawaii Tourism Authority on Recommendations*
3 *Regarding The Hawaii Visitors and Convention Bureau*, dated
4 December 31, 2003, by the Candon Consulting Group, LLC,
5 recommended that the independence of the respective boards of
6 directors of the Hawaii tourism authority and the Hawaii
7 Visitors and Convention Bureau be preserved. The report states
8 in pertinent part:

9 "There have been and are individuals who have served
10 consecutively as Directors of both the HTA Board and the
11 HVCB Board and visa-versa. This situation invites
12 questions about the arm's length nature of the relationship
13 between these two Boards and their respective
14 organizations. If enough members of each Board regularly
15 switch from one to the other, the independence of each
16 entity would diminish or disappear."



1 The legislature finds that the problem is especially
2 improper in the awarding of tourism marketing contracts to the
3 Hawaii Visitors and Convention Bureau by the Hawaii tourism
4 authority, notwithstanding the request for proposals procurement
5 process. In addition, there is the unstated but evident problem
6 of the inability to obtain innovative and fresh marketing ideas
7 when the bidder and the agency are effectively one and the same.

8 The purpose of this Act is to prohibit anyone who has
9 served on the board of directors of the Hawaii Visitors and
10 Convention Bureau, a private entity, from serving on the board
11 of the Hawaii tourism authority for a two-year period
12 immediately following service on the board of the Hawaii tourism
13 authority.

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

16 "(b) The authority shall be headed by a policy-making
17 board of directors which consists of twelve public, voting
18 members, and four ex officio nonvoting members; provided that:

19 (1) Twelve public, voting members shall be appointed by
20 the governor as provided in section 26-34, except as
21 otherwise provided by law;



- 1 (2) The twelve public, voting members shall be composed of
2 at least one representative each from the city and
3 county of Honolulu and the counties of Hawaii, Kauai,
4 and Maui; the remaining public members shall be
5 appointed at-large;
- 6 (3) Of the twelve public, voting members, three shall be
7 appointed by the governor from a list of three names
8 submitted for each appointment by the president of the
9 senate, and three shall be appointed by the governor
10 from a list of three names submitted for each
11 appointment by the speaker of the house of
12 representatives; provided that if fewer than three
13 names are submitted for each appointment, the governor
14 may disregard the list;
- 15 (4) At least six of the twelve public, voting members
16 shall have knowledge, experience, and expertise in the
17 area of visitor industry management, marketing,
18 promotion, transportation, retail, entertainment, or
19 visitor attractions, and at least one shall have
20 knowledge, experience, and expertise in the area of
21 Hawaiian cultural practices; provided that no more
22 than three members shall represent, be employed by, or



- 1 be under contract to any sector of the industry
2 represented on the board;
- 3 (5) The governor shall make appointments to ensure the
4 fulfillment of all requirements; provided that any
5 appointments made after July 1, 2002, shall be made to
6 fulfill the requirements in place when the
7 appointments are made;
- 8 (6) The director of business, economic development, and
9 tourism, or a designated representative, shall be an
10 ex officio nonvoting member;
- 11 (7) The director of transportation, or a designated
12 representative, shall be an ex officio nonvoting
13 member;
- 14 (8) The chairperson of the board of land and natural
15 resources, or a designated representative, shall be an
16 ex officio nonvoting member; ~~and~~;
- 17 (9) The executive director of the state foundation on
18 culture and the arts, or a designated representative,
19 shall be an ex officio nonvoting member~~[-]~~; and
- 20 (10) No person who has served as a member of the board of
21 directors of the Hawaii Visitors and Convention Bureau
22 shall be eligible to sit as a public, voting member of



1 the board of directors of the Hawaii tourism authority
 2 until at least two years have expired between the
 3 person's termination from service on the Hawaii
 4 Visitors and Convention Bureau board and the person's
 5 appointment to the authority's board of directors."

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

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

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INTRODUCED BY:

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Report Title:

Hawaii Tourism Authority; Board of Directors

Description:

Requires that Hawaii Visitors and Convention Bureau board members wait at least two years after that directorship has expired before serving on the Hawaii tourism authority's board of directors.

