

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 1823
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Tourism and Government Operations, to which was referred S.B. No. 1823 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY,"

begs leave to report as follows:

The purpose of this measure is to revise the appointment provisions to the Board of Directors of the Hawaii Tourism Authority (Board).

Specifically, this measure would:

- (1) Reduce from twelve to two, the number of appointments by the Governor, with one of the two voting members having knowledge, experience, and expertise in the area of Hawaiian cultural practices;
- (2) Clarify that each of the four mayors would appoint one voting member, with the advice and consent of the Senate, each of the appointees to have knowledge, experience, and expertise in the area of visitor industry management, marketing, promotion, transportation, retail, entertainment, or visitor attractions;
- (3) Clarify that the President of the Senate and the Speaker of the House of Representatives have direct appointment authority by adoption of a concurrent resolution for three voting members each, with half of the members to



have knowledge, experience, and expertise in the area of visitor industry management, marketing, promotion, transportation, retail, entertainment, or visitor attractions;

- (4) Provide for interim appointments; and
- (5) Provide for the transitional implementation of the appointments prescribed under this measure.

Your Committee received comments on this measure from the Hawai'i Hotel & Lodging Association. Testimony in opposition to the measure was received from the Department of Business, Economic Development, and Tourism.

Your Committee finds that the members of the Board should represent a cross section of gubernatorial, legislative, and county ideals of tourism industry representation. Existing law provides for all twelve appointments to be made by the Governor.

Your Committee further finds that Board members should possess knowledge, experience, and expertise in the area of visitor industry management, marketing, promotion, transportation, retail, entertainment, or visitor attractions, which is the bulk of the responsibility of the Board.

Your Committee is cognizant of the constitutional mandates of Article V, section 6 of the Hawaii State Constitution, which provides for the Governor's nomination to all boards and commissions, with the advice and consent of the Senate. However, your Committee believes that the provision applies only to a board or commission that is the head of a principal department of the state government, which does not include this Board.

Your Committee is also cognizant of section 26-34, Hawaii Revised Statutes, which requires the Governor to make appointments to boards and commissions with the advice and consent of the Senate. However, your Committee has amended this measure to accommodate this issue as a conforming technical amendment.

Your Committee nonetheless believes that this measure requires further discussion in the interest of improving on the composition of the Board.



Your Committee has amended this measure by making technical, nonsubstantive amendments for purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Tourism and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1823, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1823, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Tourism and
Government Operations,


Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Tourism and Government Operations
TSG

Bill / Resolution No.:*	Committee Referral:	Date:
SB1823	TSG	2-27-07
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is:		
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
NISHIHARA, Clarence K. (C)	/	
KIM, Donna Mercado (VC)	/	
TSUTSUI, Shan S.		
TRIMBLE, Gordon		/
TOTAL	2	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 		
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency		

*Only one measure per Record of Votes