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# A BILL FOR AN ACT

RELATING TO HAWAII TOURISM AUTHORITY.

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

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

3           "(a) Except as otherwise limited by this chapter, the  
4 authority may:

5           (1) Sue and be sued;

6           (2) ~~[Have]~~ Design and utilize a seal and alter ~~[the same~~  
7 ~~at pleasure;]~~ it as necessary;

8           (3) Make and execute contracts and all other instruments  
9 necessary or convenient for the exercise of its powers  
10 and functions under this chapter; provided that ~~[the]~~:

11           (A) The authority may enter into contracts and  
12 agreements for a period of up to five years,  
13 subject to the availability of funds; and  
14 ~~[provided further that the]~~

15           (B) The authority may enter into agreements for the  
16 use of the convention center facility for a  
17 period of up to ten years;



- 1           (4) Make and alter bylaws for its organization and  
2           internal management;
- 3           (5) Notwithstanding any law to the contrary, and without  
4           regard to chapter 91, adopt internal budgetary rules,  
5           procedures, and controls to expend funds under the  
6           authority's control; provided that any rule or  
7           procedure in place as of January 1, 2008, shall remain  
8           in effect unless amended by the authority with  
9           legislative approval;
- 10          ~~(5)~~ (6) Unless otherwise provided in this chapter, adopt  
11          rules in accordance with chapter 91 with respect to  
12          its projects, operations, properties, and facilities;
- 13          ~~(6)~~ (7) Through its executive director represent the  
14          authority in communications with the governor and the  
15          legislature;
- 16          ~~(7)~~ (8) Through its executive director, provide for the  
17          appointment of officers, agents, and employees,  
18          subject to the approval of the board, prescribing  
19          their duties and qualifications, and fixing their  
20          salaries, without regard to chapters 76 and 78, if  
21          there is no anticipated revenue shortfall in the



1           tourism special fund and funds have been appropriated  
2           by the legislature and allotted as provided by law;  
3       ~~[(+8)]~~ (9) Through its executive director purchase supplies,  
4           equipment, or furniture;  
5       ~~[(+9)]~~ (10) Through its executive director allocate the space  
6           or spaces that are to be occupied by the authority and  
7           appropriate staff;  
8       ~~[(+10)]~~ (11) Engage the services of qualified persons to  
9           implement the State's tourism marketing plan or  
10          portions thereof as determined by the authority;  
11       ~~[(+11)]~~ (12) Engage the services of consultants on a  
12          contractual basis for rendering professional and  
13          technical assistance and advice;  
14       ~~[(+12)]~~ (13) Procure insurance against any loss in connection  
15          with its property and other assets and operations in  
16          amounts and from insurers as it deems desirable;  
17       ~~[(+13)]~~ (14) Contract for or accept revenues, compensation,  
18          proceeds, and gifts or grants in any form from any  
19          public agency or any other source, including any  
20          revenues or proceeds arising from the operation or use  
21          of the convention center;



1        [~~(14)~~] (15) Develop, coordinate, and implement state policies  
2                    and directions for tourism and related activities  
3                    taking into account the economic, social, and physical  
4                    impacts of tourism on the State and its natural  
5                    resources infrastructure; provided that the authority  
6                    shall support the efforts of other state and county  
7                    departments or agencies to manage, improve, and  
8                    protect Hawaii's natural environment and areas  
9                    frequented by visitors;

10        [~~(15)~~] (16) Have a permanent, strong focus on marketing and  
11                    promotion;

12        [~~(16)~~] (17) Conduct market development-related research as  
13                    necessary;

14        [~~(17)~~] (18) Coordinate all agencies and advise the private  
15                    sector in the development of tourism-related  
16                    activities and resources;

17        [~~(18)~~] (19) Work to eliminate or reduce barriers to travel in  
18                    order to provide a positive and competitive business  
19                    environment, including coordinating with the  
20                    department of transportation on issues affecting  
21                    airlines and air route development;





1 of the convention center facility without regard to  
2 chapter 91;

3 [~~+26~~] (27) Notwithstanding chapter 171, acquire, lease as  
4 lessee or lessor, own, rent, hold, and dispose of the  
5 convention center facility in the exercise of its  
6 powers and the performance of its duties under this  
7 chapter; and

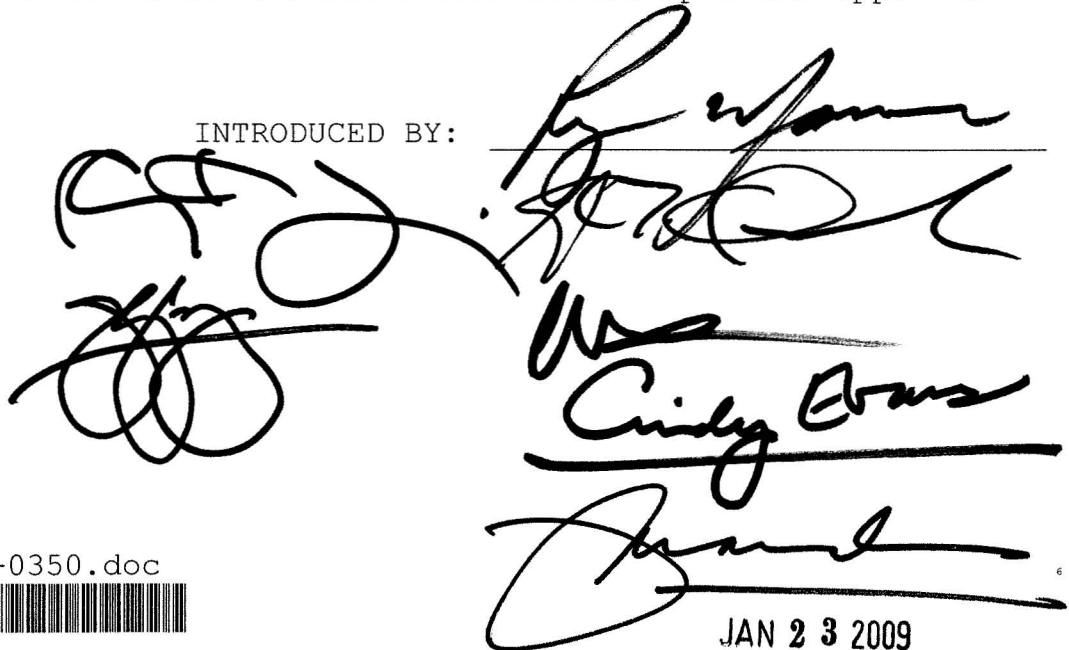
8 [~~+27~~] (28) Acquire by purchase, lease, or otherwise, and  
9 develop, construct, operate, own, manage, repair,  
10 reconstruct, enlarge, or otherwise effectuate, either  
11 directly or through developers, a convention center  
12 facility."

13 SECTION 2. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 3. This Act shall take effect upon its approval.

16

INTRODUCED BY:



**Report Title:**

Hawaii Tourism Authority; Budgetary Controls

**Description:**

Requires HTA budgetary controls in effect on January 1, 2008 to be made permanent. Allows changes to budgetary controls only with legislative approval.

