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# A BILL FOR AN ACT

RELATING TO THE HAWAII TOURISM AUTHORITY.

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

1           SECTION 1. In 2007, the legislature, cognizant of the  
2 impact world events may have on the flow of tourists to our  
3 State, created the tourism emergency trust fund as a mechanism  
4 to protect our visitors and residents in the event of national  
5 disasters, terrorist threats, and other catastrophic  
6 emergencies. Act 201, Session Laws of Hawaii 2007, also  
7 directed the Hawaii tourism authority to prepare and implement  
8 response measures when a substantial interruption in the State's  
9 tourism industry is threatened. The legislature finds that  
10 tourism emergencies occur from many causes not originally  
11 contemplated by Act 201. A weakening national economy,  
12 recession, and credit market crisis may not meet the standard of  
13 a catastrophic event, making it difficult for the tourism  
14 authority to address these issues under current law.

15           The purpose of this Act is to broaden the definition of a  
16 "tourism emergency" to reflect its unpredictable nature,  
17 providing the tourism authority flexibility in planning and



1 programming for a wide variety of forces that impact Hawaii's  
2 largest industry.

3 SECTION 2. Section 201B-1, Hawaii Revised Statutes, is  
4 amended by adding a new definition to be appropriately inserted  
5 and to read as follows:

6 "Tourism emergency" means the occurrence of an event or  
7 condition, regardless of when or where it occurs, that adversely  
8 affects Hawaii's tourism industry by resulting in a substantial  
9 interruption of commerce in the State and adversely affects the  
10 welfare of the people of the State."

11 SECTION 3. Section 201B-9, Hawaii Revised Statutes, is  
12 amended to read as follows:

13 "[+]§201B-9[+] **Tourism emergency.** (a) [If] When the  
14 board determines that [the occurrence of a world conflict,  
15 terrorist threat, natural disaster, outbreak of disease, or  
16 other catastrophic event, regardless of when or where it occurs,  
17 adversely affects Hawaii's tourism industry by resulting in a  
18 substantial interruption in the commerce of the State and  
19 adversely affecting the welfare of its people, the board shall  
20 submit a request to the governor to declare that] a tourism  
21 emergency exists[-], the board shall execute a plan or program



1 developed pursuant to subsection (b) to provide emergency  
2 relief.

3 (b) [~~Upon declaration by the governor that a tourism~~  
4 ~~emergency exists pursuant to subsection (a), the~~] The authority  
5 shall develop [and implement measures] plans and programs to  
6 respond to [the tourism emergency,] tourism emergencies,  
7 including [providing assistance to tourists during the  
8 emergency; provided that any tourism emergency response measure  
9 implemented pursuant to this subsection shall not include any  
10 provision that would adversely affect the organized labor force  
11 in tourism-related industries.]:

12 (1) Execution of necessary strategies to provide  
13 assistance to victims of the emergency and to protect  
14 the health and safety of the victims;

15 (2) Coordinating the activities of public and private  
16 organizations that may be mobilized to provide  
17 assistance during the emergency;

18 (3) Execution of programs to respond to economic downturns  
19 with carefully targeted strategies designed to sustain  
20 Hawaii's visitor industry;



- 1        (4) Expediting the procuring of supplies, equipment, and
- 2        services in light of the exigencies of the emergency
- 3        as part of a relief plan or program; and
- 4        (5) Executing a public information strategy as part of a
- 5        relief plan or program."

6        SECTION 4. Statutory material to be repealed is bracketed  
 7 and stricken. New statutory material is underscored.

8        SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

*[Handwritten signatures: Tom Brown, Calvin K. Day, Nail B. Lee, Cindy Brown, and others]*

JAN 28 2009



**Report Title:**

Hawaii Tourism Authority; Tourism Emergency

**Description:**

Broadens definition of "tourism emergency" and provides for plans and programs to address them.

