

JAN 23 2009

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. 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 a seal and alter the same at pleasure;

7 (3) Make and execute contracts and all other instruments
8 necessary or convenient for the exercise of its powers
9 and functions under this chapter; provided that the
10 authority may enter into contracts and agreements for
11 a period of up to [~~five~~] two years, subject to the
12 availability of funds; and provided further that the
13 authority may enter into agreements for the use of the
14 convention center facility for a period of up to ten
15 years;

16 (4) Make and alter bylaws for its organization and
17 internal management;



- 1 (5) Unless otherwise provided in this chapter, adopt rules
2 in accordance with chapter 91 with respect to its
3 projects, operations, properties, and facilities;
- 4 (6) Through its executive director represent the authority
5 in communications with the governor and the
6 legislature;
- 7 (7) Through its executive director, provide for the
8 appointment of officers, agents, and employees,
9 subject to the approval of the board, prescribing
10 their duties and qualifications, and fixing their
11 salaries, without regard to chapters 76 and 78, if
12 there is no anticipated revenue shortfall in the
13 tourism special fund and funds have been appropriated
14 by the legislature and allotted as provided by law;
- 15 (8) Through its executive director purchase supplies,
16 equipment, or furniture;
- 17 (9) Through its executive director allocate the space or
18 spaces that are to be occupied by the authority and
19 appropriate staff;
- 20 (10) Engage the services of qualified persons to implement
21 the State's tourism marketing plan or portions thereof
22 as determined by the authority;



- 1 (11) Engage the services of consultants on a contractual
2 basis for rendering professional and technical
3 assistance and advice;
- 4 (12) Procure insurance against any loss in connection with
5 its property and other assets and operations in
6 amounts and from insurers as it deems desirable;
- 7 (13) Contract for or accept revenues, compensation,
8 proceeds, and gifts or grants in any form from any
9 public agency or any other source, including any
10 revenues or proceeds arising from the operation or use
11 of the convention center;
- 12 (14) Develop, coordinate, and implement state policies and
13 directions for tourism and related activities taking
14 into account the economic, social, and physical
15 impacts of tourism on the State and its natural
16 resources infrastructure; provided that the authority
17 shall support the efforts of other state and county
18 departments or agencies to manage, improve, and
19 protect Hawaii's natural environment and areas
20 frequented by visitors;
- 21 (15) Have a permanent, strong focus on marketing and
22 promotion;



- 1 (16) Conduct market development-related research as
2 necessary;
- 3 (17) Coordinate all agencies and advise the private sector
4 in the development of tourism-related activities and
5 resources;
- 6 (18) Work to eliminate or reduce barriers to travel in
7 order to provide a positive and competitive business
8 environment, including coordinating with the
9 department of transportation on issues affecting
10 airlines and air route development;
- 11 (19) Market and promote sports-related activities and
12 events;
- 13 (20) Coordinate the development of new products with the
14 counties and other persons in the public sector and
15 private sector, including the development of sports,
16 culture, health and wellness, education, technology,
17 agriculture, and nature tourism;
- 18 (21) Establish a public information and educational program
19 to inform the public of tourism and tourism-related
20 problems;
- 21 (22) Encourage the development of tourism educational,
22 training, and career counseling programs;



- 1 (23) Establish a program to monitor, investigate, and
2 respond to complaints about problems resulting
3 directly or indirectly from the tourism industry and
4 taking appropriate action as necessary;
- 5 (24) Develop and implement emergency measures to respond to
6 any adverse effects on the tourism industry, pursuant
7 to section 201B-9;
- 8 (25) Set and collect rents, fees, charges, or other
9 payments for the lease, use, occupancy, or disposition
10 of the convention center facility without regard to
11 chapter 91;
- 12 (26) Notwithstanding chapter 171, acquire, lease as lessee
13 or lessor, own, rent, hold, and dispose of the
14 convention center facility in the exercise of its
15 powers and the performance of its duties under this
16 chapter; and
- 17 (27) Acquire by purchase, lease, or otherwise, and develop,
18 construct, operate, own, manage, repair, reconstruct,
19 enlarge, or otherwise effectuate, either directly or
20 through developers, a convention center facility."

21 SECTION 2. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



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

2

INTRODUCED BY: Clarence A. Joseph



Report Title:

Hawaii Tourism Authority; Contracts; Two-Year Limit

Description:

Reduces the term of contracts, except for contracts for use of the convention center facility, the Hawaii tourism authority may enter into from 5 to 2 years.

