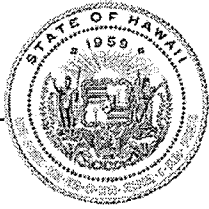


SB2187

SD1



TOURISM LIAISON

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Statement of
MARSHA WIENERT
Tourism Liaison
Office of the Governor
before the
SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS
Tuesday, February 23, 2010
10:00 a.m.
State Capitol, Conference Room 016

in consideration of
SB 2187 SD1
RELATING TO THE HAWAII TOURISM AUTHORITY.

Chair Taniguchi, Vice Chair Takamine and Members of the Senate Committee on Judiciary and Government Operations.

Thank you for the opportunity to testify on SB 2187 SD1, which revises Section 201B-3, HRS, allowing the Hawai'i Tourism Authority (HTA) to withhold from public disclosure competitively sensitive information, including completed survey and questionnaire forms, coding sheets and database records of the information. The ability to keep confidential information gathered from our visitors is necessary for any research function and we support this revision.

We also support the revision to Section 201B-4, HRS, which would allow the authority to go into executive session, closed to the public, in order to receive information that is necessary to protect Hawai'i's competitive advantage as a visitor destination.

The HTA board recently developed a strategic plan that established goals and set targets for the organization. The revisions to Section 201B-6, HRS, solidifies the need for the authority to include in their plan performance goals and targets. We support this revision.

Similarly, changes to Section 201B-7, subsection (a), HRS, affirm that the authority shall provide tourism information on the effectiveness of the marketing programs, which we support.

Finally, while we appreciate the discussion of the Senate Committee on Tourism regarding the submission of reports on contracts and agreements *periodically* (proposed language in Section 201B-7, subsection (a)(9), HRS), we continue to suggest that the word *periodically* be further defined and quantified for purposes of clarification in the future.

Thank you for the opportunity to testify on SB 2187 SD1.



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GOVERNOR

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CATHY L. TAKASE
ACTING DIRECTOR

To: Senate Committee on Judiciary and Government Operations
From: Cathy L. Takase, Acting Director
Hearing: Tuesday, February 23, 2010, 10:00 a.m.
State Capitol, Room 016
Re: Testimony on S.B. No. 2187, S.D. 1
Relating to the Hawaii Tourism Authority

The Office of Information Practices (OIP) takes no position on this bill, but has concerns about the breadth of certain language at section 2 of this bill and recommends amendment as described below.

OIP administers the Sunshine Law, which is part I of Chapter 92, HRS. Section 2 of this bill would allow the Hawaii Tourism Authority (HTA) to enter into an executive meeting closed to the public in order to receive “[i]nformation that is necessary to protect Hawaii’s competitive advantage as a visitor destination.”

OIP is concerned about the breadth of the current proposed language. OIP understands that HTA seeks to meet in executive session to protect the confidentiality of information such as detailed marketing plans, market intelligence and research studies, and specific marketing opportunities. OIP believes that, if the Legislature finds an exception to be appropriate, the exception provided should be more narrowly worded (or the intent of the Legislature should be made clear) to reflect that it is this specific type of information that may be discussed in a closed meeting in order to protect Hawaii’s competitive advantage.

In addition, OIP believes that the bill should be amended to make clear that HTA must follow the same procedures required for executive meetings under the Sunshine Law in order to protect the public’s participation on agenda items that would be discussed under the proposed exception to open meetings. Specifically, OIP suggests that the language in this bill for section 201B-4, HRS, be amended by adding language on page 3, line 10, as follows:

the board may enter into an executive meeting that is closed to the public[.] in accordance with the procedures provided for holding an executive meeting under part I of Chapter 92, HRS.

Thank you for the opportunity to testify.