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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. Chapter 201B, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§201B- Grants. (a) Every request for a grant by the  
5 authority for the development of tourism products or programs  
6 shall be submitted to the authority on an application form  
7 provided by the authority, which shall contain:

8           (1) A statement of the purpose of the product or program  
9           to be funded by the grant;

10           (2) A written description of the product or program;

11           (3) Financial information regarding the product or  
12           program;

13           (4) If the applicant is an organization, personnel  
14           position salaries; and

15           (5) Any other information required by the authority.

16           (b) The authority shall review each application to  
17 determine the efficiency and the effectiveness of the proposed  
18 product or program in achieving the goals and objectives of the



1 authority established to implement the state tourism policy.  
2 The review shall be based upon an analysis of the request in  
3 terms of the objectives to be achieved, the need in the  
4 community for the product or program, the quality of the  
5 proposed program or activity, the ability of the applicant to  
6 carry out the proposed program or activity, and the benefits to  
7 be provided by the proposed program or activity in comparison to  
8 the estimated costs.

9 (c) Upon approval of an application, the authority shall  
10 enter into an agreement with the applicant. Agreements shall be  
11 executed in accordance with the rules adopted by the authority.

12 (d) Every grant made by the authority shall be monitored  
13 by the authority to ensure compliance with the provisions of the  
14 agreement and to determine whether the grant attained the  
15 intended results in the manner contemplated.

16 (e) No grant made under this section shall be subject to  
17 chapter 42F."

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

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

22 (1) Sue and be sued;



- 1           (2) Have a seal and alter the same at pleasure;
- 2           (3) Through its president and chief executive officer,
- 3           make and execute contracts and all other instruments
- 4           necessary or convenient for the exercise of its powers
- 5           and functions under this chapter; provided that the
- 6           authority may enter into contracts and agreements for
- 7           a period of up to five years, subject to the
- 8           availability of funds; and provided further that the
- 9           authority may enter into agreements for the use of the
- 10          convention center facility for a period of up to ten
- 11          years;
- 12          (4) Make and alter bylaws for its organization and
- 13          internal management;
- 14          (5) Unless otherwise provided in this chapter, adopt rules
- 15          in accordance with chapter 91 with respect to its
- 16          projects, operations, properties, and facilities;
- 17          (6) Through its president and chief executive officer,
- 18          represent the authority in communications with the
- 19          governor and the legislature;
- 20          (7) Through its president and chief executive officer,
- 21          provide for the appointment of officers, agents, a
- 22          sports coordinator, and employees, subject to the



1 approval of the board, prescribing their duties and  
2 qualifications, and fixing their salaries, without  
3 regard to chapters 76 and 78, if there is no  
4 anticipated revenue shortfall in the tourism special  
5 fund and funds have been appropriated by the  
6 legislature and allotted as provided by law;

7 (8) Through its president and chief executive officer,  
8 purchase supplies, equipment, or furniture;

9 (9) Through its president and chief executive officer,  
10 allocate the space or spaces that are to be occupied  
11 by the authority and appropriate staff;

12 (10) Through its president and chief executive officer,  
13 engage the services of qualified persons to implement  
14 the State's tourism marketing plan or portions thereof  
15 as determined by the authority;

16 (11) Through its president and chief executive officer,  
17 engage the services of consultants on a contractual  
18 basis for rendering professional and technical  
19 assistance and advice;

20 (12) Procure insurance against any loss in connection with  
21 its property and other assets and operations in  
22 amounts and from insurers as it deems desirable;



- 1       (13) Contract for or accept revenues, compensation,  
2           proceeds, and gifts or grants in any form from any  
3           public agency or any other source, including any  
4           revenues or proceeds arising from the operation or use  
5           of the convention center;
- 6       (14) Develop, coordinate, and implement state policies and  
7           directions for tourism and related activities taking  
8           into account the economic, social, and physical  
9           impacts of tourism on the State and its natural  
10          resources infrastructure; provided that the authority  
11          shall support the efforts of other state and county  
12          departments or agencies to manage, improve, and  
13          protect Hawaii's natural environment and areas  
14          frequented by visitors;
- 15      (15) Have a permanent, strong focus on marketing and  
16          promotion;
- 17      (16) Conduct market development-related research as  
18          necessary;
- 19      (17) Coordinate all agencies and advise the private sector  
20          in the development of tourism-related activities and  
21          resources;

- 1       (18) Work to eliminate or reduce barriers to travel to  
2           provide a positive and competitive business  
3           environment, including coordinating with the  
4           department of transportation on issues affecting  
5           airlines and air route development;
- 6       (19) Market and promote sports-related activities and  
7           events;
- 8       (20) [~~Coordinate~~] Make grants pursuant to section 201B-  
9           and coordinate the development of [~~new~~] tourism  
10          products and programs with the counties and other  
11          persons in the public sector and private sector,  
12          including the development of sports, culture, health  
13          and wellness, education, technology, agriculture, and  
14          nature tourism;
- 15       (21) Establish a public information and educational program  
16          to inform the public of tourism and tourism-related  
17          problems;
- 18       (22) Encourage the development of tourism educational,  
19          training, and career counseling programs;
- 20       (23) Establish a program to monitor, investigate, and  
21          respond to complaints about problems resulting

1 directly or indirectly from the tourism industry and  
2 taking appropriate action as necessary;

3 (24) Develop and implement emergency measures to respond to  
4 any adverse effects on the tourism industry, pursuant  
5 to section 201B-9;

6 (25) Set and collect rents, fees, charges, or other  
7 payments for the lease, use, occupancy, or disposition  
8 of the convention center facility without regard to  
9 chapter 91;

10 (26) Notwithstanding chapter 171, acquire, lease as lessee  
11 or lessor, own, rent, hold, and dispose of the  
12 convention center facility in the exercise of its  
13 powers and the performance of its duties under this  
14 chapter; and

15 (27) Acquire by purchase, lease, or otherwise, and develop,  
16 construct, operate, own, manage, repair, reconstruct,  
17 enlarge, or otherwise effectuate, either directly or  
18 through developers, a convention center facility."

19 SECTION 3. Section 201B-7, Hawaii Revised Statutes, is  
20 amended by amending subsection (b) to read as follows:

21 "(b) The authority may delegate to staff the  
22 responsibility for soliciting, awarding, and executing of



1 agreements and contracts, and monitoring and facilitating any  
2 and all functions developed in accordance with subsection (a)."

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

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

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INTRODUCED BY:

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# H.B. NO. 332

**Report Title:**

Hawaii Tourism Authority; Grants

**Description:**

Authorizes the Hawaii Tourism Authority to make grants through an agreement for the development of visitor industry products and programs, rather than through a contract.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

