

JAN 18 2013

A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT,
AND TOURISM.

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

1 SECTION 1. The legislature finds that the film industry in
2 Hawaii contributes millions of dollars and hundreds of jobs each
3 year. In 2011, the total film industry expenditure in Hawaii
4 was more than \$184,000,000. Several popular movies and
5 television shows have been filmed in Hawaii over the years,
6 including "Jurassic Park", "Fifty First Dates", "Tropic
7 Thunder", "The Descendants", "Magnum P.I.", "Lost", and "Hawaii
8 Five-0".

9 The legislature further finds that the sports industry is
10 another important industry in the State. Hawaii hosts no less
11 than ten major national and international sporting events each
12 year, including the NFL Pro Bowl, Honolulu Marathon, Van's
13 Triple Crown of Surfing, Sheraton Hawaii Bowl, Molokai Hoe,
14 X-Terra World Championship, Ford Ironman World Championship,
15 EA Sports Maui Invitational, the PGA Sony Open and Hyundai
16 Tournament of Champions, and the LPGA Lotte Championship.
17 Sporting events in Hawaii have a combined economic impact of



1 over \$200,000,000 each year. This economic value is multiplied
2 by the intangible value of broadcast coverage of many of these
3 events in other markets that display Hawaii as an attractive
4 vacation destination.

5 The legislature further finds that the film industry,
6 spectator sports, and participant sports are complementary
7 industries to tourism. In the film industry, there are
8 immediate economic benefits from a film production, including
9 hotel costs, catering, and hiring of local crews. There are
10 also long-term economic impacts, such as movie goers' heightened
11 interest in a film location. A significant number of Hawaii's
12 annual visitors also travel here to watch or participate in a
13 sporting event. In addition to event admission fees, these
14 visitors contribute to the State's economy through their
15 purchases of lodging, meals, airfare, car rentals,
16 entertainment, shopping, and other expenditures.

17 The legislature believes that there is significant room for
18 growth in Hawaii's film and sports industries, which will
19 increase visitor arrivals and expenditures. An office of film
20 and sports development is needed to grow Hawaii's film industry
21 and promote and market sports in Hawaii.



1 The purpose of this Act is to create the office of film and
2 sports development within the department of business, economic
3 development, and tourism.

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

7 "§201- Office of film and sports development;
8 establishment; powers and duties. (a) There is established the
9 office of film and sports development in the department of
10 business, economic development, and tourism, which shall be
11 headed by the director of the office of film and sports
12 development.

13 (b) The director shall have knowledge and experience in
14 film and sports marketing, promotion, and development. The
15 director shall be nominated and appointed by the governor
16 without regard to chapter 76.

17 (c) The director shall hire staff necessary to carry out
18 the purposes of this section.

19 (d) The director and employees of the office shall be
20 included in any benefit program generally applicable to the
21 officers and employees of the State.



1 (e) The office of film and sports development shall be
2 responsible for:

3 (1) Acting as the central office within the department of
4 business, economic development, and tourism for
5 coordination of film permit activities in the State;

6 (2) Promoting, marketing, and developing the sports
7 industry in Hawaii, including professional, amateur,
8 and youth sporting events;

9 (3) Developing, coordinating, and implementing long-range
10 state policies and directions for sporting events and
11 related activities;

12 (4) Promotion of Hawaii, through a coordinated statewide,
13 national, and international effort, as a place to hold
14 and attend sporting events; and

15 (5) Any and all other activities necessary to carry out
16 the intent of this section.

17 (f) The office of film and sports development shall be
18 operational no later than January 1, 2014."

19 SECTION 3. Section 201-14, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "**§201-14 Consolidated film permit processing.** (a) The
22 [~~department~~] office of film and sports development shall consult



1 with state and county agencies in order to identify sites that
2 can be used for making visually recorded productions under terms
3 and conditions as may be determined by the state or county
4 agency having jurisdiction over the sites.

5 (b) The [~~department~~] office of film and sports development
6 may accept an application from any person who proposes to make a
7 motion picture, television show, television commercial, or other
8 visually recorded production at one or more sites on state or
9 county lands, whether or not set aside under section 171-11.

10 (c) The applicant shall identify the sites to be covered
11 by the permit and provide other information as may be required
12 by the [~~department~~] office of film and sports development.

13 (d) The [~~department~~] office of film and sports development
14 may approve and issue a permit to film at any of the sites
15 identified by the appropriate state or county agency under
16 subsection (a). If any site requested for use by the applicant
17 is not identified under subsection (a), the [~~department~~] office
18 of film and sports development shall consult with the
19 appropriate state or county agency having jurisdiction over the
20 site to obtain a permit. If the matter of a permit cannot be
21 resolved in this manner, the [~~department~~] office of film and



1 sports development shall refer the application to the
2 appropriate state or county agency to obtain a permit.

3 (e) The [~~department~~] office of film and sports development
4 is authorized to make changes to, and extensions of, any
5 approved permits so long as the changes and extensions do not
6 conflict with the policies, terms, and conditions set forth by
7 the agency having jurisdiction over the site in question.

8 (f) The [~~department~~] office of film and sports development
9 may establish memoranda of agreement or adopt rules to implement
10 the intent and purposes of this section.

11 (g) Nothing in this section shall be construed as waiving
12 the authority of any county or the department of transportation
13 of the State to require a person to obtain a permit from the
14 department or county where the production takes place on or from
15 a public highway.

16 (h) A vessel engaged in temporary use for film production
17 purposes in accordance with a film permit issued by the
18 [~~department~~] office of film and sports development shall not be
19 considered to be a "commercial vessel" within the meaning of
20 section 200-9, 200-10, or 200-39; provided that:

21 (1) The period of temporary use does not exceed fourteen
22 hours per day, five days per week, excluding weekends,



1 and for a period not to exceed thirty calendar days;

2 and

3 (2) The [~~department~~] office of film and sports development

4 may make allowances to include weekends for film

5 production purposes due to inclement weather

6 conditions during the weekday period."

7 SECTION 4. There is appropriated out of the general

8 revenues of the State of Hawaii the sum of \$ or so

9 much thereof as may be necessary for fiscal year 2013-2014 and

10 the same sum or so much thereof as may be necessary for fiscal

11 year 2014-2015 to establish the office of film and sports

12 development, including the hiring of necessary staff.

13 The sums appropriated shall be expended by the department

14 of business, economic development, and tourism for the purposes

15 of this Act.

16 SECTION 5. Statutory material to be repealed is bracketed

17 and stricken. New statutory material is underscored.

18 SECTION 6. This Act shall take effect on July 1, 2013.

19

INTRODUCED BY:

Will Syero
[Signature]



S.B. NO. 211

Report Title:

Department of Business, Economic Development, and Tourism;
Office of Film and Sports Development; Appropriation

Description:

Establishes the office of film and sports development in the department of business, economic development, and tourism. Appropriates funds.

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