

JAN 25 2017

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-2, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The authority shall be headed by a policy-making
4 board of directors that shall consist of twelve members;
5 provided that:

6 (1) The members shall be appointed by the governor as
7 provided in section 26-34, except as provided by this
8 section;

9 (2) The members shall include at least one representative
10 each from the city and county of Honolulu and the
11 counties of Hawaii, Kauai, and Maui;

12 (3) Three members shall be appointed by the governor from
13 a list of three names submitted for each appointment
14 by the president of the senate, and three members
15 shall be appointed by the governor from a list of
16 three names submitted for each appointment by the
17 speaker of the house of representatives; provided that



1 the governor shall appoint each member within ninety
2 days of receiving the applicable list of names;
3 provided further that if fewer than three names are
4 submitted for each appointment, the governor may
5 disregard the list;

6 (4) At least six members shall have knowledge, experience,
7 and expertise in the area of accommodations,
8 transportation, retail, entertainment, or attractions,
9 and at least one member appointed by the governor
10 shall have knowledge, experience, and expertise in the
11 area of Hawaiian cultural practices; provided that no
12 more than three members shall represent, be employed
13 by, or be under contract to any sector of the industry
14 represented on the board;

15 (5) The governor shall make appointments to ensure the
16 fulfillment of all requirements of paragraphs (2) and
17 (4); provided that upon the occurrence of a vacancy
18 subject to paragraph (3), the governor shall notify
19 the president of the senate and the speaker of the
20 house of representatives of any unfulfilled
21 requirements pursuant to paragraphs (2) and (4), and



1 the president of the senate or the speaker of the
2 house of representatives, as appropriate, shall submit
3 nominees who fulfill those requirements; and

4 (6) No person who has served as a member of the board of
5 directors of the Hawaii Visitors and Convention Bureau
6 shall be eligible to sit as a member of the board of
7 directors of the Hawaii tourism authority until at
8 least two years have expired between the person's
9 termination from service on the Hawaii Visitors and
10 Convention Bureau board and the person's appointment
11 to the authority's board of directors."

12 SECTION 2. Section 201B-4, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§201B-4 Meetings of the board. ~~[(a)]~~ The meetings of
15 the board shall be open to the public as provided in ~~[section~~
16 ~~92-3, except that when it is necessary for the board to receive:~~

17 ~~(1) Information that is proprietary to a particular~~
18 ~~enterprise or the disclosure of which might be harmful~~
19 ~~to the business interests of the enterprise; or~~

20 ~~(2) Information that is necessary to protect Hawaii's~~
21 ~~competitive advantage as a visitor destination;~~



1 ~~provided that information relating to marketing plans~~
2 ~~and strategies may be disclosed after the execution of~~
3 ~~the marketing plans and strategies,~~
4 ~~the board may enter into an executive meeting that is closed to~~
5 ~~the public in accordance with the procedures provided for~~
6 ~~holding an executive meeting under part I of chapter 92.~~

7 ~~(b) The board shall be subject to the procedural~~
8 ~~requirements of section 92-4, and this authorization shall be in~~
9 ~~addition to the exceptions listed in section 92-5, to enable the~~
10 ~~authority board to respect the proprietary requirements of~~
11 ~~enterprises with which it has business dealings.] part I of~~
12 ~~chapter 92."~~

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

15 "(a) The authority may enter into contracts and agreements
16 that include the following:

- 17 (1) Tourism promotion, marketing, and development;
- 18 (2) Market development-related research;
- 19 (3) Product development and diversification issues focused
20 on visitors;



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- 1 (4) Promotion, development, and coordination of sports-
2 related activities and events;
- 3 (5) Promotion of Hawaii, through a coordinated statewide
4 effort, as a place to do business, including high
5 technology business, and as a business destination;
- 6 (6) Reduction of barriers to travel;
- 7 (7) Marketing, management, use, operation, or maintenance
8 of the convention center facility, including the
9 purchase or sale of goods or services, logo items,
10 concessions, sponsorships, and license agreements, or
11 any use of the convention center facility as a
12 commercial enterprise; provided that effective
13 January 1, 2003, and thereafter, the contract for
14 management of the convention center facility shall
15 include marketing for all uses of the facility;
- 16 (8) Tourism research and statistics to:
- 17 (A) Measure and analyze tourism trends;
- 18 (B) Provide information and research to assist in the
19 development and implementation of state tourism
20 policy; and
- 21 (C) Provide tourism information on:



- 1 (i) Visitor arrivals, visitor characteristics,
2 and expenditures;
- 3 (ii) The number of transient accommodation units
4 available, occupancy rates, and room rates;
- 5 (iii) Airline-related data including seat capacity
6 and number of flights;
- 7 (iv) The economic, social, and physical impacts
8 of tourism on the State; and
- 9 (v) The effects of the marketing programs of the
10 authority on the measures of effectiveness
11 developed pursuant to section 201B-6(b); and

12 (9) Any and all other activities necessary to carry out
13 the intent of this chapter;

14 provided that at least twenty days prior to the convening of
15 each regular session of the legislature, the authority shall
16 [~~periodically~~] submit [a] an unredacted report of the summary
17 descriptions and the planned and actual expenditures of
18 contracts and agreements entered into by the authority and a
19 detailed annual budget of the authority's planned and actual
20 expenditures for a two-year period covering the current and
21 immediately preceding fiscal years to the governor, the speaker



1 of the house of representatives, [and] the president of the
 2 senate[-], and the chairs of the legislative committees with
 3 primary jurisdiction over tourism or financial oversight. If
 4 the report contains information that may be withheld from public
 5 disclosure under section 201B-7(d), the governor and members of
 6 the legislature shall not disclose the unredacted report to the
 7 public; provided that the authority shall contemporaneously
 8 provide an additional report redacting competitively sensitive
 9 information, and that redacted report may be disclosed to the
 10 public."

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

13 SECTION 5. This Act shall take effect upon its approval.
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INTRODUCED BY:

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Report Title:

Hawaii Tourism Authority; Budget; Expenditures; Reporting Requirement; Sunshine Law; Board Meetings; Board of Directors Appointments

Description:

Requires that the governor appoint Hawaii tourism authority board of directors' members within ninety days of receiving the applicable lists of nominee names from the president of the senate and from the speaker of the house of representatives. Repeals the board's authority to convene closed meetings for certain purposes. Requires the Hawaii tourism authority to report, at least twenty days prior to the convening of each regular session of the legislature, summary descriptions and planned and actual expenditures of contracts and agreements entered into by the authority and a detailed annual budget for the authority for a two-year period covering the current and immediately preceding fiscal years to the governor, speaker of the house of representatives, president of the senate, and chairs of legislative committees with primary jurisdiction over tourism or financial oversight.

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

