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# A BILL FOR AN ACT

RELATING TO TOURISM.

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

1           SECTION 1. The legislature finds that the Hawaii tourism  
2 authority has failed to effectively execute its duties to manage  
3 the tourism marketing plan for the State.

4           In 2021, the legislature repealed the Hawaii tourism  
5 authority's exemption from the Hawaii public procurement code  
6 through Act 1, Special Session Laws of Hawaii 2021. As a  
7 result, all procurements by the Hawaii tourism authority must  
8 comply with the Hawaii public procurement code.

9           Due to mismanagement by the Hawaii tourism authority, the  
10 award of a \$34,000,000 contract for the marketing of Hawaii as a  
11 tourism destination to the United States major market area has  
12 been in a state of uncertainty since 2021. This situation has  
13 been widely publicized and has demonstrated the Hawaii tourism  
14 authority's noncompliance with the Hawaii public procurement  
15 code.

16           The legislature finds that it is necessary and appropriate  
17 to dissolve the Hawaii tourism authority.



- 1           Accordingly, the purpose of this Act is to:
- 2           (1)   Establish an office of tourism and destination
- 3                   management that will be governed by a nine-member
- 4                   board of directors consisting of:
- 5                   (A)   A member from the county of Hawaii;
- 6                   (B)   A member from the county of Maui;
- 7                   (C)   A member from the county of Kauai;
- 8                   (D)   A member from the city and county of Honolulu;
- 9                   (E)   A member from the hospitality industry;
- 10                  (F)   A member from the airline industry;
- 11                  (G)   A member from the retail industry; and
- 12                  (H)   A member with a background in Hawaiian culture;
- 13                           and
- 14                  (I)   A member with a background in agriculture;
- 15           (2)   Transfer the functions, duties, appropriations, and
- 16                   positions of the Hawaii tourism authority to the
- 17                   office of tourism and destination management;
- 18           (3)   Require the office of tourism and destination
- 19                   management to implement certain county destination
- 20                   management action plans;
- 21           (4)   Dissolve the Hawaii tourism authority; and



1 (5) Appropriate funds.

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

5 "PART . OFFICE OF TOURISM AND DESTINATION MANAGEMENT

6 §201-A Definitions. As used in this part:

7 "Agency" means any agency, department, authority, board,  
8 commission, the university of Hawaii, or any other unit of the  
9 State or its political subdivisions.

10 "Best practice destination management" means a holistic  
11 process that ensures that tourism adds value to the economy,  
12 social fabric, and ecology of communities.

13 "Convention center facility" or "convention center" means  
14 the Hawaii Convention Center.

15 "Executive director" means the executive director of  
16 tourism and destination management.

17 "Hawaii brand" means the programs that collectively  
18 differentiate the Hawaii experience from other destinations.

19 "Office" means the office of tourism and destination  
20 management established under section 201-B.



1 "Regenerative tourism" means a Hawaiian cultural heritage  
2 business model that is community-based with cultural development  
3 strategies and implements an innovative economic development  
4 plan to link consumers and a Hawaiian sense of place through  
5 holistic efforts to:

- 6 (1) Make net positive contributions;
- 7 (2) Create conditions that allow communities to flourish;  
8 and
- 9 (3) Improve destinations for current and future  
10 generations for the well-being of the environment,  
11 residents, indigenous communities, and visitors.

12 **§201-B Office of tourism and destination management;**  
13 **establishment; responsibilities.** (a) There is established  
14 within the department of business, economic development, and  
15 tourism for administrative purposes the office of tourism and  
16 destination management to:

- 17 (1) Create, design, and implement a long-range strategic  
18 plan for tourism in Hawaii;
- 19 (2) Grow and enhance the tourism industry in the State;  
20 provided that the office's initiatives shall follow



- 1 best practice destination management practices and  
2 integrate regenerative tourism;
- 3 (3) Conduct strategic research through contractual  
4 services with the University of Hawaii or any  
5 qualified agency or persons that target social,  
6 economic, cultural, and environmental aspects of  
7 tourism development in the State;
- 8 (4) Provide technical or other assistance to agencies and  
9 private industry upon request;
- 10 (5) Focus on perpetuating the uniqueness of the Native  
11 Hawaiian culture and community, and their significance  
12 to the quality of the visitor experience, by ensuring  
13 that:
- 14 (A) The Hawaiian culture is accurately portrayed by  
15 Hawaii's visitor industry;
- 16 (B) Hawaiian language is supported and normalized as  
17 an official language of the State as well as the  
18 foundation of the host culture that attracts  
19 visitors to Hawaii;
- 20 (C) Hawaiian cultural practitioners and cultural  
21 sites that give value to Hawaii's heritage are



1 supported, nurtured, and engaged in sustaining  
2 the visitor industry; and

3 (D) A Native Hawaiian cultural education and training  
4 program is provided for the members of the  
5 visitor industry workforce who have direct  
6 contact with visitors; and

7 (6) Review annually the expenditure of public funds by any  
8 visitor industry organization that contracts with the  
9 office to implement tourism promotion, development,  
10 and management and make recommendations necessary to  
11 ensure the effective use of the funds for the  
12 development and management of tourism.

13 (b) There is established within the office of tourism and  
14 destination management:

15 (1) A tourism and marketing branch that shall implement  
16 integrated marketing efforts that positively portray  
17 Hawaii with a focus on its people and culture;

18 (2) A convention center branch to manage the convention  
19 center and administer the convention center enterprise  
20 special fund; and



1 (3) A destination management branch that shall develop and  
2 implement a plan that is inclusive of all islands and  
3 promotes a dignified and healthy relationship with the  
4 State's natural resources and Hawaiian culture.

5 (c) The office shall be headed by a board of directors  
6 that shall consist of nine members to be appointed by the  
7 governor as provided in section 26-34; provided that:

8 (1) One member shall reside in the county of Hawaii;

9 (2) One member shall reside in the county of Maui;

10 (3) One member shall reside in county of Kauai;

11 (4) One member shall reside in city and county of  
12 Honolulu;

13 (5) One member shall represent the hospitality industry;

14 (6) One member shall represent the airline industry;

15 (7) One member shall represent the retail industry;

16 (8) One member shall have a background in Hawaiian  
17 culture; and

18 (9) One member shall have with a background in  
19 agriculture.

20 The board of directors shall elect a chairperson from among the  
21 members. The members shall serve without compensation, but



1 shall be reimbursed for expenses, including traveling expenses,  
2 necessary for the performance of their duties.

3 (d) There shall be an executive director of tourism and  
4 destination management who shall:

- 5 (1) Be appointed and may be removed by the board of  
6 directors;
- 7 (2) Report to the board of directors;
- 8 (3) Have knowledge, experience, and expertise in the areas  
9 of accommodations, transportation, retail,  
10 entertainment, Hawaiian culture, and agricultural  
11 lands;
- 12 (4) Be responsible for the day-to-day operations of the  
13 office; and
- 14 (5) Not be subject to chapter 76.

15 **§201-C Powers and functions, generally.** (a) Except as  
16 otherwise limited by this part, the office may:

- 17 (1) Sue and be sued;
- 18 (2) Make and alter bylaws for its organization and  
19 internal management;





- 1           (3) Procure insurance against any loss in connection with  
2           its property and other assets and operations in  
3           amounts and from insurers as it deems desirable;
- 4           (4) Contract for or accept revenues, compensation,  
5           proceeds, and gifts or grants in any form from any  
6           public agency or any other source;
- 7           (5) Design, coordinate, and implement state policies and  
8           directions for tourism and related activities taking  
9           into account the economic, social, cultural, and  
10          physical impacts of tourism on the State, Hawaii's  
11          natural environment, areas frequented by visitors,  
12          best practice destination management, and regenerative  
13          tourism;
- 14          (6) Have a permanent and strong focus on Hawaii brand  
15          management;
- 16          (7) Coordinate all agencies and engage the private sector  
17          in the development of tourism-related activities and  
18          resources;
- 19          (8) Work to eliminate or reduce barriers to travel by  
20          providing a positive and competitive business  
21          environment, including coordination with the



- 1 department of transportation on issues affecting  
2 airlines and air route development;
- 3 (9) Market and promote sports-related and entertainment-  
4 related activities and events;
- 5 (10) Coordinate the development of new products with the  
6 counties and other persons in the public sector and  
7 private sector, including the development of sports,  
8 cultural, health and wellness, education, technology,  
9 agriculture, and environmental tourism;
- 10 (11) Establish:
- 11 (A) A public information and educational program to  
12 inform the public of tourism and tourism-related  
13 problems; and
- 14 (B) A program to monitor, investigate, and respond to  
15 complaints about problems resulting directly or  
16 indirectly from the tourism industry and taking  
17 appropriate action as necessary;
- 18 (12) Encourage and engage in the development of tourism  
19 education, training, and career counseling programs;



- 1       (13) Develop and implement emergency measures to respond to  
2           any adverse effects on the tourism industry, pursuant  
3           to section 201-I;
- 4       (14) Set and collect rents, fees, charges, or other  
5           payments for the lease, use, occupancy, or disposition  
6           of the convention center facility without regard to  
7           chapter 91;
- 8       (15) Notwithstanding chapter 171, acquire, lease as lessee  
9           or lessor, own, rent, hold, and dispose of the  
10          convention center facility in the exercise of its  
11          powers and the performance of its duties under this  
12          part;
- 13      (16) Acquire by purchase, lease, or otherwise, and develop,  
14          construct, operate, own, manage, repair, reconstruct,  
15          enlarge, or otherwise effectuate, either directly or  
16          through developers, a convention center facility; and
- 17      (17) Adopt rules in accordance with chapter 91 with respect  
18          to its projects, operations, properties, and  
19          facilities.
- 20      (b) Except as otherwise limited by this part, the office,  
21      through the executive director may:



- 1           (1) Make and execute contracts and all other instruments  
2                    necessary or convenient for the exercise of its powers  
3                    and functions under this part; provided that the  
4                    office may enter into contracts and agreements for a  
5                    period of up to five years, subject to the  
6                    availability of funds; provided further that the  
7                    office may enter into agreements for the use of the  
8                    convention center facility for a period of up to ten  
9                    years;
- 10          (2) Represent the office in communications with the  
11                    governor and the legislature;
- 12          (3) Provide for the appointment of officers, agents, a  
13                    sports coordinator, and employees, prescribing their  
14                    duties and qualifications, and fixing their salaries,  
15                    without regard to chapters 76 and 78, if funds have  
16                    been appropriated by the legislature and allotted as  
17                    provided by law;
- 18          (4) Purchase supplies, equipment, or furniture;
- 19          (5) Allocate the space or spaces that are to be occupied  
20                    by the office and appropriate staff;



- 1           (6) Engage the services of qualified persons to implement  
2           the State's strategic tourism management plan or  
3           portions thereof as determined by the office; and
- 4           (7) Engage the services of consultants on a contractual  
5           basis for rendering professional and technical  
6           assistance and advice.
- 7           (c) The office may enter into contracts and agreements  
8 that include the following:
- 9           (1) Tourism promotion, development, and management;
- 10          (2) Product development and diversification issues focused  
11          on visitors;
- 12          (3) Promotion, development, and coordination of  
13          sports-related and entertainment-related activities  
14          and events;
- 15          (4) Promotion of Hawaii, through a coordinated statewide  
16          effort, as a place to do business, including high  
17          technology business, and as a business destination;
- 18          (5) Reduction of barriers to travel;
- 19          (6) Marketing, management, use, operation, or maintenance  
20          of the convention center facility, including the  
21          purchase or sale of goods or services, logo items,



1 concessions, sponsorships, and license agreements, or  
2 any use of the convention center facility as a  
3 commercial enterprise; provided that contracts issued  
4 pursuant to this paragraph for the marketing of all  
5 uses of the convention center facility may be issued  
6 separately from the management, use, operation, or  
7 maintenance of the facility;

8 (7) Tourism research, market development-related research,  
9 and statistics to:

10 (A) Measure and analyze tourism trends;

11 (B) Provide information and research to assist in the  
12 development and implementation of state tourism  
13 policy; and

14 (C) Provide tourism information on:

15 (i) Visitor arrivals, visitor characteristics,  
16 and expenditures;

17 (ii) The number of transient accommodation units  
18 available, occupancy rates, and room rates;

19 (iii) Airline-related data, including seat  
20 capacity and number of flights;



1 (iv) The economic, social, and physical impacts  
2 of tourism on the State; and

3 (v) The effects of the office's strategic  
4 tourism management plan on the measures of  
5 effectiveness developed pursuant to section  
6 201-D; and

7 (8) Any and all other activities necessary to carry out  
8 the intent of this part.

9 (d) The office may delegate to staff the responsibility  
10 for soliciting, awarding, and executing contracts and for  
11 monitoring and facilitating any and all contracts and agreements  
12 developed in accordance with subsection (c).

13 (e) Where public disclosure of information gathered or  
14 developed by the office may place a business at a competitive  
15 disadvantage or may impair or frustrate the office's ability to  
16 either compete as a visitor destination or obtain or utilize  
17 information for a legitimate government function, the office may  
18 withhold from public disclosure competitively sensitive  
19 information, including:

20 (1) Completed survey forms and questionnaire forms;

21 (2) Coding sheets; and



1           (3) Database records of the information.

2           (f) The office shall do any and all things necessary to  
3 carry out its purposes, to exercise the powers and  
4 responsibilities given in this part, and to perform other  
5 functions required or authorized by law.

6           (g) The powers and functions granted to and exercised by  
7 the office under this part are declared to be public and  
8 governmental functions, exercised for a public purpose, and  
9 matters of public necessity.

10           **§201-D Strategic tourism management plan; measures of**  
11 **effectiveness.** (a) The office shall develop a strategic  
12 tourism management plan that promotes tourism marketing,  
13 complies with best practice destination management, and promotes  
14 regenerative tourism. The plan shall be a single, comprehensive  
15 document that shall be updated annually and include the  
16 following:

17           (1) Statewide Hawaii brand management efforts and  
18 programs;

19           (2) Targeted markets;

20           (3) Efforts to enter into Hawaii brand management projects  
21 that make effective use of cooperative programs;





1 (4) Program performance goals and targets that can be  
2 monitored as market gauges and used as attributes to  
3 evaluate the office's programs; and

4 (5) The office's guidance and direction for the  
5 development and coordination of promotional and  
6 marketing programs that build and promote the Hawaii  
7 brand, which shall be implemented through county  
8 contracts and agreements with destination marketing  
9 organizations or other qualified organizations,  
10 including:

- 11 (A) Target markets and the results being sought;
- 12 (B) Key performance indicators; and
- 13 (C) Private sector collaborative or cooperative  
14 efforts that may be required.

15 (b) In accordance with subsection (a), the office shall  
16 develop measures of effectiveness to assess the overall benefits  
17 and effectiveness of the strategic tourism management plan and  
18 include documentation of the progress of the strategic tourism  
19 management plan toward achieving the office's strategic plan  
20 goals.



1           **§201-E Destination management action plan; objectives;**  
2 county destination management action plans. To meet the  
3 destination management objectives for each county, the office  
4 shall perform the actions specified in each of the following  
5 three-year plans:

- 6           (1) Oahu destination management action plan;
  - 7           (2) Maui Nui destination management action plan;
  - 8           (3) Hawaii island destination management action plan; and
  - 9           (4) Kauai destination management action plan,
- 10 during the specified phases.

11           **§201-F Assistance by state and county agencies; advisory**  
12 **group.** (a) Any state or county agency may render services upon  
13 request of the office.

14           (b) The office may establish an advisory group that may  
15 meet monthly or as often as the office deems necessary and may  
16 include the executive director, director of transportation,  
17 chairperson of the board of land and natural resources,  
18 chairperson of the board of trustees of the office of Hawaiian  
19 affairs, executive director of the state foundation on culture  
20 and the arts, and chair of the travel industry management  
21 advisory council of the University of Hawaii to advise the



1 office on matters relating to their respective departments or  
2 agency in the preparation and execution of suggested:

3 (1) Measures to respond to tourism emergencies pursuant to  
4 section 201-I;

5 (2) Programs for the management, improvement, and  
6 protection of Hawaii's natural environment and other  
7 areas frequented by visitors and residents;

8 (3) Measures to address issues affecting airlines, air  
9 routes, and barriers to travel to Hawaii;

10 (4) Programs to perpetuate the culture of Hawaii and  
11 engage local communities to sustain and preserve the  
12 Native Hawaiian culture; and

13 (5) Programs that include tourism marketing, best practice  
14 destination management, and regenerative tourism as  
15 part of an overall strategic tourism management plan.

16 **§201-G Applicability of Hawaii public procurement code;**  
17 **convention center contractor; construction contracts.** The  
18 construction contracts for the maintenance of the convention  
19 center facility by the private contractor that operates the  
20 convention center, by its direct or indirect receipt of, and its



1 expenditure of, public funds from the department or the office,  
2 or both, shall be subject to part III of chapter 103D.

3       **§201-H Convention center enterprise special fund. (a)**

4 There is established in the state treasury the convention center  
5 enterprise special fund, into which shall be deposited:

- 6       (1) A portion of the revenues from the transient  
7             accommodations tax, as provided by section 237D-6.5;
- 8       (2) All revenues or moneys derived from the operations of  
9             the convention center to include all revenues from the  
10            food and beverage service, all revenues from the  
11            parking facilities or from any concession, and all  
12            revenues from the sale of souvenirs, logo items, or  
13            any other items offered for purchase at the convention  
14            center;
- 15       (3) Private contributions, interest, compensation, gross  
16            or net revenues, proceeds, or other moneys derived  
17            from any source or for any purpose arising from the  
18            use of the convention center facility; and
- 19       (4) Appropriations by the legislature for marketing the  
20            facility pursuant to section 201-C(c)(6).



1 (b) Moneys in the convention center enterprise special  
2 fund shall be used by the office for:

3 (1) The payment of expenses arising from any and all use,  
4 operation, maintenance, alteration, improvement, or  
5 any unforeseen or unplanned repairs of the convention  
6 center, including without limitation the food and  
7 beverage service and parking service provided at the  
8 convention center facility;

9 (2) The sale of souvenirs, logo items, or other items;

10 (3) Any future major repair, maintenance, and improvement  
11 of the convention center facility as a commercial  
12 enterprise or as a world class facility for  
13 conventions, entertainment, or public events; and

14 (4) Marketing the facility pursuant to section  
15 201-C(c)(6).

16 (c) Moneys in the convention center enterprise special  
17 fund may be:

18 (1) Placed in interest-bearing accounts; provided that the  
19 depository in which the money is deposited furnishes  
20 security as provided in section 38-3; or



1           (2) Otherwise invested by the office until the time the  
 2                    moneys may be needed; provided that the office shall  
 3                    limit its investments to those listed in section  
 4                    36-21.

5 All interest accruing from investment of the moneys shall be  
 6 credited to the convention center enterprise special fund.

7           **§201-I Tourism emergency.** (a) If the executive director  
 8 determines that the occurrence of a world conflict, terrorist  
 9 threat, national or global economic crisis, natural disaster,  
 10 outbreak of disease, or other catastrophic event adversely  
 11 affects Hawaii's tourism industry by resulting in a substantial  
 12 interruption in the commerce of the State and adversely  
 13 affecting the welfare of its people, the executive director  
 14 shall submit a request to the governor to declare that a tourism  
 15 emergency exists.

16           (b) Upon declaration by the governor that a tourism  
 17 emergency exists pursuant to subsection (a), the office shall  
 18 develop and implement measures to respond to the tourism  
 19 emergency, including providing assistance to visitors during the  
 20 emergency; provided that any tourism emergency response measure  
 21 implemented pursuant to this subsection shall not include any



1 provision that would adversely affect the organized labor force  
2 in tourism-related industries. With respect to a national or  
3 global economic crisis only, in addition to the governor's  
4 declaration of the existence of a tourism emergency, no action  
5 in response to the tourism emergency declaration may be taken by  
6 the office without the governor's express approval.

7       **§201-J Tourism emergency special fund.** (a) There is  
8 established outside the state treasury a tourism emergency  
9 special fund to be administered by the executive director, into  
10 which shall be deposited the revenues prescribed by section  
11 237D-6.5(b) and all investment earnings credited to the assets  
12 of the fund.

13       (b) Moneys in the special fund shall be used exclusively  
14 to provide for the development and implementation of emergency  
15 measures to respond to any tourism emergency pursuant to section  
16 201-I, including providing emergency assistance to visitors  
17 during the tourism emergency.

18       (c) Use of the special fund, consistent with subsection  
19 (b), shall be provided for in articles, bylaws, resolutions, or  
20 other instruments executed by the executive director.



1           **§201-K Exemption from taxation.** All revenues and receipts  
2 derived by the office from any project or a project agreement or  
3 other agreement pertaining thereto shall be exempt from all  
4 state taxation. Any right, title, and interest of the office in  
5 any project shall also be exempt from all state taxation.  
6 Except as otherwise provided by law, the interest of a qualified  
7 person or other user of a project or a project agreement or  
8 other agreements related to a project shall not be exempt from  
9 taxation to a greater extent than it would be if the costs of  
10 the project were directly financed by the qualified person or  
11 user.

12           **§201-L Private attorneys.** (a) The executive director may  
13 appoint or retain by contract one or more attorneys who are  
14 independent of the attorney general to provide legal services  
15 for the office solely in cases of contract negotiations in which  
16 the attorney general lacks sufficient expertise; provided that  
17 the independent attorney shall consult and work in conjunction  
18 with the designated deputy attorney general assigned to the  
19 office.

20           (b) The executive director may fix the compensation of the  
21 attorneys appointed or retained pursuant to this section.





1 Attorneys appointed or retained by contract shall be exempt from  
2 chapters 76, 78, and 88.

3       **§201-M Court proceedings; preferences; venue.** (a) Any  
4 action or proceeding to which the office, the State, or the  
5 county may be a party, in which any question arises as to the  
6 validity of this part, shall be preferred over all other civil  
7 cases, except election cases, in the circuit court of the  
8 circuit where the case or controversy arises, and shall be heard  
9 and determined in preference to all other civil cases pending  
10 therein except election cases, irrespective of position on the  
11 calendar.

12       (b) Upon application of counsel to the office, the same  
13 preference shall be granted in any action or proceeding  
14 questioning the validity of this part in which the office may be  
15 allowed to intervene.

16       (c) Any action or proceeding to which the office, the  
17 State, or the county may be party, in which any question arises  
18 as to the validity of this part or any portion of this part, or  
19 any action of the office may be filed in the circuit court of  
20 the circuit where the case or controversy arises, which court is  
21 hereby vested with original jurisdiction over the action.



1 (d) Notwithstanding any provision of law to the contrary,  
2 declaratory relief from the circuit court may be obtained for  
3 any action.

4 (e) Any party aggrieved by the decision of the circuit  
5 court may appeal in accordance with part I of chapter 641 and  
6 the appeal shall be given priority.

7 **§201-N Annual report.** The office shall submit a complete  
8 and detailed report of its activities, expenditures, and  
9 results, including the progress of the strategic tourism  
10 management plan, developed pursuant to section 201-D, toward  
11 achieving the office's strategic plan goals, to the governor and  
12 the legislature at least twenty days prior to the convening of  
13 each regular session. The annual report shall include the  
14 descriptions and evaluations of programs funded, any contracts  
15 and agreements entered into by the office during the preceding  
16 calendar year, and any recommendations the office may make."

17 SECTION 3. Section 28-8.3, Hawaii Revised Statutes, is  
18 amended as follows:

19 1. By amending subsection (a) to read:

20 "(a) No department of the State other than the attorney  
21 general may employ or retain any attorney, by contract or



1 otherwise, for the purpose of representing the State or the  
2 department in any litigation, rendering legal counsel to the  
3 department, or drafting legal documents for the department;  
4 provided that the foregoing provision shall not apply to the  
5 employment or retention of attorneys:

6 (1) By the public utilities commission, the labor and  
7 industrial relations appeals board, and the Hawaii  
8 labor relations board;

9 (2) By any court or judicial or legislative office of the  
10 State; provided that if the attorney general is  
11 requested to provide representation to a court or  
12 judicial office by the chief justice or the chief  
13 justice's designee, or to a legislative office by the  
14 speaker of the house of representatives and the  
15 president of the senate jointly, and the attorney  
16 general declines to provide such representation on the  
17 grounds of conflict of interest, the attorney general  
18 shall retain an attorney for the court, judicial, or  
19 legislative office, subject to approval by the court,  
20 judicial, or legislative office;

21 (3) By the legislative reference bureau;



- 1       (4) By any compilation commission that may be constituted
- 2             from time to time;
- 3       (5) By the real estate commission for any action involving
- 4             the real estate recovery fund;
- 5       (6) By the contractors license board for any action
- 6             involving the contractors recovery fund;
- 7       (7) By the office of Hawaiian affairs;
- 8       (8) By the department of commerce and consumer affairs for
- 9             the enforcement of violations of chapters 480 and
- 10            485A;
- 11       (9) As grand jury counsel;
- 12       (10) By the Hawaii health systems corporation, or its
- 13            regional system boards, or any of their facilities;
- 14       (11) By the auditor;
- 15       (12) By the office of ombudsman;
- 16       (13) By the insurance division;
- 17       (14) By the University of Hawaii;
- 18       (15) By the Kahoolawe island reserve commission;
- 19       (16) By the division of consumer advocacy;
- 20       (17) By the office of elections;
- 21       (18) By the campaign spending commission;



- 1 (19) By the [~~Hawaii tourism authority, as provided in~~  
2 ~~section 201B-2.5,~~] office of tourism and destination  
3 management, as provided in section 201-L;
- 4 (20) By the division of financial institutions;
- 5 (21) By the office of information practices;
- 6 (22) By the school facilities authority;
- 7 (23) By the Mauna Kea stewardship and oversight authority;
- 8 or
- 9 (24) By a department, if the attorney general, for reasons  
10 deemed by the attorney general to be good and  
11 sufficient, declines to employ or retain an attorney  
12 for a department; provided that the governor waives  
13 the provision of this section."
- 14 2. By amending subsection (c) to read:
- 15 "(c) Every attorney employed by any department on a  
16 full-time basis, except an attorney employed by the public  
17 utilities commission, the labor and industrial relations appeals  
18 board, the Hawaii labor relations board, the office of Hawaiian  
19 affairs, the Hawaii health systems corporation or its regional  
20 system boards, the department of commerce and consumer affairs  
21 in prosecution of consumer complaints, insurance division, the



1 division of consumer advocacy, the University of Hawaii, [the  
2 ~~Hawaii tourism authority as provided in section 201B-2.5,~~  
3 office of tourism and destination management, as provided in  
4 section 201-L, the Mauna Kea stewardship and oversight  
5 authority, the office of information practices, or as grand jury  
6 counsel, shall be a deputy attorney general."

7 SECTION 4. Section 36-27, Hawaii Revised Statutes, is  
8 amended by amending subsection (a) to read as follows:

9 "(a) Except as provided in this section, and  
10 notwithstanding any other law to the contrary, from time to  
11 time, the director of finance, for the purpose of defraying the  
12 prorated estimate of central service expenses of government in  
13 relation to all special funds, except the:

- 14 (1) Special out-of-school time instructional program fund  
15 under section 302A-1310;
- 16 (2) School cafeteria special funds of the department of  
17 education;
- 18 (3) Special funds of the University of Hawaii;
- 19 (4) Convention center enterprise special fund under  
20 section [~~201B-8,~~] 201-H;
- 21 (5) Special funds established by section 206E-6;



- 1 (6) Aloha Tower fund created by section 206J-17;
- 2 (7) Funds of the employees' retirement system created by
- 3 section 88-109;
- 4 (8) Hawaii hurricane relief fund established under chapter
- 5 431P;
- 6 (9) Hawaii health systems corporation special funds and
- 7 the subaccounts of its regional system boards;
- 8 (10) Universal service fund established under section
- 9 269-42;
- 10 (11) Emergency and budget reserve fund under section
- 11 328L-3;
- 12 (12) Public schools special fees and charges fund under
- 13 section 302A-1130;
- 14 (13) Sport fish special fund under section 187A-9.5;
- 15 (14) Neurotrauma special fund under section 321H-4;
- 16 (15) Glass advance disposal fee established by section
- 17 342G-82;
- 18 (16) Center for nursing special fund under section
- 19 304A-2163;
- 20 (17) Passenger facility charge special fund established by
- 21 section 261-5.5;



- 1 (18) Solicitation of funds for charitable purposes special  
2 fund established by section 467B-15;
- 3 (19) Land conservation fund established by section 173A-5;
- 4 (20) Court interpreting services revolving fund under  
5 section 607-1.5;
- 6 (21) Trauma system special fund under section 321-22.5;
- 7 (22) Hawaii cancer research special fund;
- 8 (23) Community health centers special fund;
- 9 (24) Emergency medical services special fund;
- 10 (25) Rental motor vehicle customer facility charge special  
11 fund established under section 261-5.6;
- 12 (26) Shared services technology special fund under section  
13 27-43;
- 14 (27) Automated victim information and notification system  
15 special fund established under section 353-136;
- 16 (28) Deposit beverage container deposit special fund under  
17 section 342G-104;
- 18 (29) Hospital sustainability program special fund under  
19 section 346G-4;
- 20 (30) Nursing facility sustainability program special fund  
21 under section 346F-4;





1 (31) Hawaii 3R's school improvement fund under section  
2 302A-1502.4;

3 (32) After-school plus program revolving fund under section  
4 302A-1149.5;

5 (33) Civil monetary penalty special fund under section  
6 321-30.2; and

7 [f] (34) [f] Stadium development special fund under section  
8 109-3.5,

9 shall deduct five per cent of all receipts of all other special  
10 funds, which deduction shall be transferred to the general fund  
11 of the State and become general realizations of the State. All  
12 officers of the State and other persons having power to allocate  
13 or disburse any special funds shall cooperate with the director  
14 in effecting these transfers. To determine the proper revenue  
15 base upon which the central service assessment is to be  
16 calculated, the director shall adopt rules pursuant to chapter  
17 91 for the purpose of suspending or limiting the application of  
18 the central service assessment of any fund. No later than  
19 twenty days prior to the convening of each regular session of  
20 the legislature, the director shall report all central service  
21 assessments made during the preceding fiscal year."



1 SECTION 5. Section 36-30, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) Each special fund, except the:

- 4 (1) Special out-of-school time instructional program fund  
5 under section 302A-1310;
- 6 (2) School cafeteria special funds of the department of  
7 education;
- 8 (3) Special funds of the University of Hawaii;
- 9 (4) Special funds established by section 206E-6;
- 10 (5) Aloha Tower fund created by section 206J-17;
- 11 (6) Funds of the employees' retirement system created by  
12 section 88-109;
- 13 (7) Hawaii hurricane relief fund established under  
14 chapter 431P;
- 15 (8) Convention center enterprise special fund established  
16 under section [~~201B-87~~] 201-H;
- 17 (9) Hawaii health systems corporation special funds and  
18 the subaccounts of its regional system boards;
- 19 (10) Universal service fund established under section  
20 269-42;



- 1       (11)   Emergency and budget reserve fund under section
- 2                328L-3;
- 3       (12)   Public schools special fees and charges fund under
- 4                section 302A-1130;
- 5       (13)   Sport fish special fund under section 187A-9.5;
- 6       (14)   Neurotrauma special fund under section 321H-4;
- 7       (15)   Center for nursing special fund under section
- 8                304A-2163;
- 9       (16)   Passenger facility charge special fund established by
- 10               section 261-5.5;
- 11       (17)   Court interpreting services revolving fund under
- 12                section 607-1.5;
- 13       (18)   Trauma system special fund under section 321-22.5;
- 14       (19)   Hawaii cancer research special fund;
- 15       (20)   Community health centers special fund;
- 16       (21)   Emergency medical services special fund;
- 17       (22)   Rental motor vehicle customer facility charge special
- 18                fund established under section 261-5.6;
- 19       (23)   Shared services technology special fund under
- 20                section 27-43;



1 (24) Nursing facility sustainability program special fund  
2 established pursuant to section 346F-4;

3 (25) Automated victim information and notification system  
4 special fund established under section 353-136;

5 (26) Hospital sustainability program special fund under  
6 section 346G-4;

7 (27) Civil monetary penalty special fund under section  
8 321-30.2; and

9 [f] (28) [f] Stadium development special fund under section  
10 109-3.5,

11 shall be responsible for its pro rata share of the  
12 administrative expenses incurred by the department responsible  
13 for the operations supported by the special fund concerned."

14 SECTION 6. Section 84-18, Hawaii Revised Statutes, is  
15 amended by amending subsection (e) to read as follows:

16 "(e) Subject to the restrictions imposed in subsections  
17 (a) through (d), the following individuals shall not represent  
18 any person or business for a fee or other consideration  
19 regarding any legislative action or administrative action, as  
20 defined in section 97-1, for twelve months after termination  
21 from their respective positions:



- 1 (1) The governor;
- 2 (2) The lieutenant governor;
- 3 (3) The administrative director of the State;
- 4 (4) The attorney general;
- 5 (5) The comptroller;
- 6 (6) The chairperson of the board of agriculture;
- 7 (7) The director of corrections and rehabilitation;
- 8 (8) The director of finance;
- 9 (9) The director of business, economic development, and
- 10 tourism;
- 11 (10) The director of commerce and consumer affairs;
- 12 (11) The adjutant general;
- 13 (12) The superintendent of education;
- 14 (13) The chairperson of the Hawaiian homes commission;
- 15 (14) The director of health;
- 16 (15) The director of human resources development;
- 17 (16) The director of human services;
- 18 (17) The director of labor and industrial relations;
- 19 (18) The chairperson of the board of land and natural
- 20 resources;
- 21 (19) The director of law enforcement;



- 1 (20) The director of taxation;
- 2 (21) The director of transportation;
- 3 (22) The president of the University of Hawaii;
- 4 (23) The executive administrator of the board of regents of  
5 the University of Hawaii;
- 6 (24) The administrator of the office of Hawaiian affairs;
- 7 (25) The chief information officer;
- 8 (26) The executive director of the agribusiness development  
9 corporation;
- 10 (27) The executive director of the campaign spending  
11 commission;
- 12 (28) The executive director of the Hawaii community  
13 development authority;
- 14 (29) The executive director of the Hawaii housing finance  
15 and development corporation;
- 16 (30) The ~~[president and chief executive officer of the  
17 Hawaii tourism authority,]~~ executive director of the  
18 office of tourism and destination management;
- 19 (31) The executive officer of the public utilities  
20 commission;
- 21 (32) The state auditor;



- 1 (33) The director of the legislative reference bureau;
- 2 (34) The ombudsman;
- 3 (35) The permanent employees of the legislature, other than
- 4 persons employed in clerical, secretarial, or similar
- 5 positions;
- 6 (36) The administrative director of the courts;
- 7 (37) The executive director of the state ethics commission;
- 8 (38) The executive officer of the state land use
- 9 commission;
- 10 (39) The executive director of the natural energy
- 11 laboratory of Hawaii authority;
- 12 (40) The executive director of the Hawaii public housing
- 13 authority; and
- 14 (41) The first deputy to the chairperson of the commission
- 15 on water resource management;

16 provided that this subsection shall not apply to any person who  
 17 has held one of the positions listed above only on an interim or  
 18 acting basis and for a period of less than one hundred eighty-  
 19 one days."

20 SECTION 7. Section 88-9, Hawaii Revised Statutes, is  
 21 amended by amending subsection (d) to read as follows:



1           "(d) A retirant may be employed without reenrollment in  
2 the system and suffer no loss or interruption of benefits  
3 provided by the system or under chapter 87A if the retirant is  
4 employed:

5           (1) As an elective officer pursuant to section 88-42.6(c)  
6           or as a member of the legislature pursuant to section  
7           88-73(d);

8           (2) As a juror or precinct official;

9           (3) As a part-time or temporary employee excluded from  
10 membership in the system pursuant to section 88-43, as  
11 a session employee excluded from membership in the  
12 system pursuant to section 88-54.2, as the [~~president  
13 and chief executive officer of the Hawaii tourism  
14 authority excluded from membership in the system  
15 pursuant to section 201B-2,] executive director of the  
16 office of tourism and destination management excluded  
17 from membership in the system, or as any other  
18 employee expressly excluded by law from membership in  
19 the system; provided that:~~





- 1 (A) The retirant was not employed by the State or a
- 2 county during the six calendar months prior to
- 3 the first day of reemployment; and
- 4 (B) No agreement was entered into between the State
- 5 or a county and the retirant, prior to the
- 6 retirement of the retirant, for the return to
- 7 work by the retirant after retirement;
- 8 (4) In a position identified by the appropriate
- 9 jurisdiction as a labor shortage or difficult-to-fill
- 10 position; provided that:
- 11 (A) The retirant was not employed by the State or a
- 12 county during the twelve calendar months prior to
- 13 the first day of reemployment;
- 14 (B) No agreement was entered into between the State
- 15 or a county and the retirant, prior to the
- 16 retirement of the retirant, for the return to
- 17 work by the retirant after retirement; and
- 18 (C) Each employer shall contribute to the pension
- 19 accumulation fund the required percentage of the
- 20 rehired retirant's compensation to amortize the
- 21 system's unfunded actuarial accrued liability; or



1 (5) As a teacher or an administrator in a teacher shortage  
2 area identified by the department of education or in a  
3 charter school or as a mentor for new classroom  
4 teachers; provided that:

5 (A) The retirant was not employed by the State or a  
6 county during the twelve calendar months prior to  
7 the first day of reemployment;

8 (B) No agreement was entered into between the State  
9 or a county and the retirant prior to the  
10 retirement of the retirant, for the return to  
11 work by the retirant after retirement; and

12 (C) The department of education or charter school  
13 shall contribute to the pension accumulation fund  
14 the required percentage of the rehired retirant's  
15 compensation to amortize the system's unfunded  
16 actuarial accrued liability."

17 SECTION 8. Section 206E-34, Hawaii Revised Statutes, is  
18 amended by amending subsection (c) to read as follows:

19 "(c) The Hawaii community development authority shall:

20 (1) Designate and develop the state-owned land for the  
21 cultural public market;



- 1           (2) Accept, for consideration, input regarding the  
2           establishment of the cultural public market from the  
3           following departments [~~and agencies~~]:
- 4           (A) The department of agriculture;
- 5           (B) The department of business, economic development,  
6           and tourism;
- 7           (C) The department of land and natural resources;
- 8           (D) The department of labor and industrial relations;
- 9           and
- 10          (E) The [~~Hawaii tourism authority;~~] office of tourism  
11           and destination management;
- 12          (3) Consider and determine the propriety of using  
13          public-private partnerships in the development and  
14          operation of the cultural public market;
- 15          (4) Develop, distribute, and accept requests for proposals  
16          from private entities for plans to develop and operate  
17          the cultural public market; and
- 18          (5) Ensure that the Hawaiian culture is the featured  
19          culture in the cultural public market."

20          SECTION 9. Section 225P-3, Hawaii Revised Statutes, is  
21          amended by amending subsection (c) to read as follows:



- 1       "(c) The commission shall include the following members:
- 2       (1) The chairs of the standing committees of the
- 3             legislature with subject matter jurisdiction
- 4             encompassing environmental protection and land use;
- 5       (2) The chairperson of the board of land and natural
- 6             resources or the chairperson's designee, who shall be
- 7             the co-chair of the commission;
- 8       (3) The director of the office of planning and sustainable
- 9             development or the director's designee, who shall be
- 10            the co-chair of the commission;
- 11       (4) The director of business, economic development, and
- 12            tourism or the director's designee;
- 13       (5) The chairperson of the board of directors of the
- 14            ~~[Hawaii tourism authority]~~ office of tourism and
- 15            destination management or the chairperson's designee;
- 16       (6) The chairperson of the board of agriculture or the
- 17            chairperson's designee;
- 18       (7) The chief executive officer of the office of Hawaiian
- 19            affairs or the officer's designee;
- 20       (8) The chairperson of the Hawaiian homes commission or
- 21            the chairperson's designee;



- 1 (9) The director of transportation or the director's
- 2 designee;
- 3 (10) The director of health or the director's designee;
- 4 (11) The adjutant general or the adjutant general's
- 5 designee;
- 6 (12) The chairperson of the board of education or the
- 7 chairperson's designee;
- 8 (13) The directors of each of the county planning
- 9 departments, or the directors' designees; and
- 10 (14) The manager of the coastal zone management program."

11 SECTION 10. Section 237-24.75, Hawaii Revised Statutes, is  
 12 amended to read as follows:

13 "§237-24.75 **Additional exemptions.** In addition to the  
 14 amounts exempt under section 237-24, this chapter shall not  
 15 apply to:

- 16 (1) Amounts received as a beverage container deposit
- 17 collected under chapter 342G, part VIII;
- 18 (2) Amounts received by the operator of the Hawaii
- 19 convention center for reimbursement of costs or
- 20 advances made pursuant to a contract with the [Hawaii
- 21 ~~tourism authority under section 201B-7;~~ office of



1           tourism and destination management under  
2           subsection 201-C(c); and  
3           (3) Amounts received by a professional employer  
4           organization that is registered with the department of  
5           labor and industrial relations pursuant to chapter  
6           373L, from a client company equal to amounts that are  
7           disbursed by the professional employer organization  
8           for employee wages, salaries, payroll taxes, insurance  
9           premiums, and benefits, including retirement,  
10          vacation, sick leave, health benefits, and similar  
11          employment benefits with respect to covered employees  
12          at a client company; provided that this exemption  
13          shall not apply to amounts received by a professional  
14          employer organization after:  
15          (A) Notification from the department of labor and  
16             industrial relations that the professional  
17             employer organization has not fulfilled or  
18             maintained the registration requirements under  
19             this chapter; or  
20          (B) A determination by the department that the  
21          professional employer organization has failed to



1 pay any tax withholding for covered employees or  
2 any federal or state taxes for which the  
3 professional employer organization is  
4 responsible.

5 As used in this paragraph, "professional employer  
6 organization", "client company", and "covered  
7 employee" shall have the meanings provided in section  
8 373L-1."

9 SECTION 11. Section 237D-6.5, Hawaii Revised Statutes, is  
10 amended by amending subsection (b) to read as follows:

11 "(b) Except for the revenues collected pursuant to section  
12 237D-2(e), revenues collected under this chapter shall be  
13 distributed in the following priority, with the excess revenues  
14 to be deposited into the general fund:

15 (1) \$1,500,000 shall be allocated to the Turtle Bay  
16 conservation easement special fund beginning July 1,  
17 2015, for the reimbursement to the state general fund  
18 of debt service on reimbursable general obligation  
19 bonds, including ongoing expenses related to the  
20 issuance of the bonds, the proceeds of which were used  
21 to acquire the conservation easement and other real



1 property interests in Turtle Bay, Oahu, for the  
2 protection, preservation, and enhancement of natural  
3 resources important to the State, until the bonds are  
4 fully amortized;

5 (2) \$11,000,000 shall be allocated to the convention  
6 center enterprise special fund established under  
7 section [~~201B-87~~] 201-H;

8 (3) An allocation shall be deposited into the tourism  
9 emergency special fund, established in section  
10 [~~201B-107~~] 201-J, in a manner sufficient to maintain a  
11 fund balance of \$5,000,000 in the tourism emergency  
12 special fund; and

13 (4) \$3,000,000 shall be allocated to the special land and  
14 development fund established under section 171-19;  
15 provided that the allocation shall be expended in  
16 accordance with the Hawaii tourism [~~authority~~]  
17 authority's 2020-2025 strategic plan for:

18 (A) The protection, preservation, maintenance, and  
19 enhancement of natural resources, including  
20 beaches, important to the visitor industry;





- 1 (B) Planning, construction, and repair of facilities;
- 2 and
- 3 (C) Operation and maintenance costs of public lands,
- 4 including beaches, connected with enhancing the
- 5 visitor experience.

6 All transient accommodations taxes shall be paid into the  
7 state treasury each month within ten days after collection and  
8 shall be kept by the state director of finance in special  
9 accounts for distribution as provided in this subsection."

10 SECTION 12. Act 231, Session Laws of Hawaii 2005, section  
11 2, is amended by amending subsection (c) to read as follows:

12 "(c) The Hawaii community development authority shall:

13 (1) Designate and develop the state-owned land for the  
14 public market;

15 (2) Accept, for consideration, input regarding the  
16 establishment of the cultural public market from the  
17 following departments [~~and agencies~~]:

18 (A) The department of agriculture;

19 (B) The department of business, economic development,  
20 and tourism;

21 (C) The department of land and natural resources;



1 (D) The department of labor and industrial relations;  
2 and

3 (E) The [~~Hawaii tourism authority,~~] office of tourism  
4 and destination management;

5 (3) Consider and determine the propriety of [~~utilizing~~]  
6 using public-private partnerships in the development  
7 and operation of the cultural public market;

8 (4) Develop, distribute, and accept requests for proposals  
9 from private entities for plans to develop and operate  
10 the cultural public market; and

11 (5) Ensure that the Hawaiian culture is the featured  
12 culture in the cultural public market."

13 SECTION 13. Chapter 201B, Hawaii Revised Statutes, is  
14 repealed.

15 SECTION 14. Sections 6E-18, 23-13, 23-76, 46-11, and  
16 171-173, Hawaii Revised Statutes, are amended by substituting  
17 the term "office of tourism and destination management", or  
18 similar term, wherever the term "Hawaii tourism authority", or  
19 similar term, appears, as the context requires.



1 SECTION 15. All rights, powers, functions, and duties of  
2 the Hawaii tourism authority are transferred to the office of  
3 tourism and destination management.

4 SECTION 16. All employees who occupy civil service  
5 positions and whose functions are transferred to the office of  
6 tourism and destination management by this Act shall retain  
7 their civil service status, whether permanent or temporary.  
8 Employees shall be transferred without loss of salary, seniority  
9 (except as prescribed by applicable collective bargaining  
10 agreements), retention points, prior service credit, any  
11 vacation and sick leave credits previously earned, and other  
12 rights, benefits, and privileges, in accordance with state  
13 personnel laws and this Act; provided that the employees possess  
14 the minimum qualifications and public employment requirements  
15 for the class or position to which transferred or appointed, as  
16 applicable; provided further that subsequent changes in status  
17 may be made pursuant to applicable civil service and  
18 compensation laws.

19 Any employee who, prior to this Act, is exempt from civil  
20 service and is transferred as a consequence of this Act may  
21 retain the employee's exempt status, but shall not be appointed



1 to a civil service position as a consequence of this Act. An  
2 exempt employee who is transferred by this Act shall not suffer  
3 any loss of prior service credit, vacation or sick leave credits  
4 previously earned, or other employee benefits or privileges as a  
5 consequence of this Act; provided that the employees possess  
6 legal and public employment requirements for the position to  
7 which transferred or appointed, as applicable; provided further  
8 that subsequent changes in status may be made pursuant to  
9 applicable employment and compensation laws. The executive  
10 director of the office of tourism and destination management may  
11 prescribe the duties and qualifications of these employees and  
12 fix their salaries without regard to chapter 76, Hawaii Revised  
13 Statutes.

14 SECTION 17. All appropriations, records, equipment,  
15 machines, files, supplies, contracts, books, papers, documents,  
16 maps, and other personal property heretofore made, used,  
17 acquired, or held by the Hawaii tourism authority relating to  
18 the functions transferred to the office of tourism and  
19 destination management shall be transferred with the functions  
20 to which they relate.



1 SECTION 18. All rules, policies, procedures, guidelines,  
 2 and other material adopted or developed by the Hawaii tourism  
 3 authority to implement provisions of the Hawaii Revised Statutes  
 4 that are made applicable to the office of tourism and  
 5 destination management by this Act, shall remain in full force  
 6 and effect until amended or repealed by the department of  
 7 business, economic development, and tourism pursuant to chapter  
 8 91, Hawaii Revised Statutes.

9 In the interim, every reference to the Hawaii tourism  
 10 authority or the board of directors of the Hawaii tourism  
 11 authority in those rules, policies, procedures, guidelines, and  
 12 other material is amended to refer to the office of tourism and  
 13 destination management and the executive director of the office  
 14 of tourism and destination management, as appropriate.

15 SECTION 19. There is appropriated out of the general  
 16 revenues of the State of Hawaii the sum of \$50,000,000 or so  
 17 much thereof as may be necessary for fiscal year 2023-2024 and  
 18 the same sum or so much thereof as may be necessary for fiscal  
 19 year 2024-2025 for the establishment, administration, and  
 20 operation of the office of tourism and destination management  
 21 and to fund the positions as provided in section 20.



1           The sums appropriated shall be expended by the office of  
2 tourism and destination management for the purposes of this Act.

3           SECTION 20. (a) Notwithstanding any other law to the  
4 contrary, the office of tourism and destination management shall  
5 be organized as provided in this section for fiscal years  
6 2023-2024 and 2024-2025.

7           (b) The office of tourism and destination management shall  
8 be headed by one full-time equivalent (1.0 FTE) executive  
9 director position, who shall be assisted by one full-time  
10 equivalent (1.0 FTE) assistant executive director position;  
11 provided that the executive director shall be paid a salary not  
12 to exceed the salary of the director of business, economic  
13 development, and tourism. The assistant executive director  
14 shall be paid a salary not to exceed ninety per cent of the  
15 executive director's salary. There shall be established one  
16 full-time equivalent (1.0 FTE) management analyst position and  
17 one full-time equivalent (1.0 FTE) executive assistant position,  
18 who shall report to the assistant executive director.

19           (c) There shall be established:



- 1           (1) One full-time (1.0 FTE) equivalent chief financial  
2           officer position, who shall report to the assistant  
3           executive director;
- 4           (2) One full-time equivalent (1.0 FTE) budget and fiscal  
5           officer position;
- 6           (3) One full-time equivalent (1.0 FTE) administrative  
7           assistant position, who shall report to the budget and  
8           fiscal officer;
- 9           (4) One full-time equivalent (1.0 FTE) procurement manager  
10          position, who shall report to the chief financial  
11          officer; and
- 12          (5) One full-time equivalent (1.0 FTE) administrative  
13          assistant position, who shall report to the  
14          procurement manager.
- 15          (d) There shall be established:
  - 16          (1) One full-time equivalent (1.0 FTE) chief branding,  
17          cultural, and marketing officer position, who shall  
18          report to the assistant executive director and be  
19          assisted by one full-time equivalent (1.0 FTE)  
20          administrative assistant position;



- 1           (2) One full-time equivalent (1.0 FTE) senior brand  
2           manager position and one full-time equivalent (1.0  
3           FTE) senior cultural manager position, who shall  
4           report to the chief branding, cultural, and marketing  
5           officer;
- 6           (3) Three full-time equivalent (3.0 FTE) brand manager  
7           positions, who shall report to the senior branding  
8           manager; and
- 9           (4) One full-time equivalent (1.0 FTE) cultural specialist  
10          position, who shall report to the senior cultural  
11          manager.
- 12          (e) There shall be established:
- 13          (1) One full-time equivalent (1.0 FTE) director of  
14          destination management position, who shall report to  
15          the assistant executive director and who shall be  
16          assisted by one full-time equivalent (1.0 FTE)  
17          administrative assistant position; and
- 18          (2) One full-time equivalent (1.0 FTE) natural resource  
19          manager position, one full-time equivalent (1.0 FTE)  
20          Oahu community specialist position, one full-time  
21          equivalent (1.0 FTE) Kauai community specialist





1 position, one full-time equivalent (1.0 FTE) Maui  
2 community specialist position, and one full-time  
3 equivalent (1.0 FTE) Hawaii island community  
4 specialist position, who shall report to the director  
5 of destination management.

6 (f) There shall be established one full-time equivalent  
7 (1.0 FTE) director of the convention center position, who shall  
8 report to the assistant executive director.

9 SECTION 21. There is appropriated out of the convention  
10 center enterprise special fund the sum of \$28,500,000 or so much  
11 thereof as may be necessary for fiscal year 2023-2024 and the  
12 same sum or so much thereof as may be necessary for fiscal year  
13 2024-2025 for payment of expenses arising from any and all use,  
14 operation, maintenance, alteration, improvement, or any  
15 unforeseen or unplanned repairs of the convention center,  
16 including without limitation the food and beverage service and  
17 parking service provided at the convention center facility; the  
18 sale of souvenirs, logo items, or other items; for any future  
19 major repair, maintenance, and improvement of the convention  
20 center facility as a commercial enterprise or as a world class



1 facility for conventions, entertainment, or public events; and  
2 for marketing the convention center facility.

3 The sums appropriated shall be expended by the department  
4 of business, economic development, and tourism for the purposes  
5 of this Act.

6 SECTION 22. In codifying the new sections added by section  
7 2 of this Act, the revisor of statutes shall substitute  
8 appropriate section numbers for the letters used in designating  
9 the new sections in this Act.

10 SECTION 23. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 24. This Act shall take effect on January 6, 2050;  
13 provided that sections 19 through 21 of this Act shall take  
14 effect on July 1, 2023; provided further that changes made to  
15 section 237D-6.5, Hawaii Revised Statutes, shall not be repealed  
16 when that section is repealed and reenacted on June 30, 2023,  
17 pursuant to section 5 of Act 229, Session Laws of Hawaii 2021.



**Report Title:**

Hawaii Tourism Authority; Board of Directors; Repeal; Department of Business, Economic Development, and Tourism; Office of Tourism and Destination Management; Establishment; Regenerative Tourism; Destination Management Action Plans; Positions; Convention Center Enterprise Special Fund; Appropriation

**Description:**

Establishes an Office of Tourism and Destination Management within the Department of Business, Economic Development, and Tourism that encompasses regenerative tourism and best practice destination management. Transfers the functions, duties, appropriations, and positions of the Hawaii Tourism Authority to the Office of Tourism and Destination Management. Requires the Office of Tourism and Destination Management to implement certain county destination management action plans. Dissolves the Hawaii Tourism Authority and the Board of Directors for the Hawaii Tourism Authority. Appropriates funds. Takes effect 1/6/2050. (SD1)

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

