

ASSEMBLY, No. 374

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

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District 30 (Monmouth and Ocean)

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SYNOPSIS

Establishes Office of Tourism Research; requires specific measures concerning tourism advertising, marketing, research, and tourism-related business training.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** establishing the Office of Tourism Research in the
2 Division of Travel and Tourism in the Department of State and
3 concerning tourism advertising, marketing, research, and
4 training, and amending and supplementing P.L.1977, c.225.

5
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8
9 1. (New section) The Legislature finds and declares:

10 a. Tourism is an extremely important component of New
11 Jersey's economy, and it is necessary for the Legislature to ensure
12 that the Division of Travel and Tourism in the Department of State
13 operates in a manner that maximizes the State's opportunity to
14 attract tourists from as wide a market area as possible.

15 b. New Jersey has many assets in a number of tourism sectors
16 that make it an attractive destination, including unique historic,
17 performing arts, cultural, retail, professional sports, and recreational
18 tourism assets.

19 c. In addition, New Jersey's proximity to major metropolitan
20 areas, including New York and Philadelphia, make it an attractive
21 and more affordable location for tourists, particularly those from
22 out of State and from other countries.

23 d. It is essential for the division to explore new markets,
24 especially those in states not contiguous to New Jersey, and
25 particularly foreign markets, to promote the State as an attractive
26 alternative to other locations, promoting such assets as the State's
27 shore area compared to other states such as Florida, North Carolina,
28 and South Carolina, and the advantage of the State's proximity to
29 other tourist destinations on the east coast.

30
31 2. (New sections) There is established an Office of Tourism
32 Research in the Division of Travel and Tourism in the Department
33 of State to coordinate and undertake ongoing research on the travel
34 and tourism market. This research shall support and inform the
35 tourism marketing activities routinely undertaken by the division
36 and the tourism industry in this State.

37 a. As a main component of research, the office shall, in
38 cooperation with members of the tourism, hospitality, and travel
39 industries, establish a database of potential travelers, including
40 group travel organizations and tour operators. The database may
41 also incorporate and draw upon any other appropriate data source,
42 including census data, deemed useful by the division. In order to
43 maximize the effectiveness of the marketing activities routinely
44 undertaken by the division and the tourism industry, the research
45 shall identify potential travelers by type, including age, interests,

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 multicultural factors, travel interests, and travel goals, and also
2 identify core geographic targets for New Jersey's marketing
3 activities. The database shall be designed to incorporate those
4 attributes for a domestic population base within a minimum of a
5 500 mile radius of the borders of the State. The database shall be
6 developed in a format that would facilitate its use in connection
7 with a marketing plan to identify primary target audiences for:

- 8 (1) general statewide travel;
- 9 (2) regional travel, including travel to lesser known portions of
10 the State;
- 11 (3) seasonal travel; and
- 12 (4) specialized travel interests in the various tourism sectors
13 identified by the office pursuant to subsection c. of this section,
14 including specialized short term weekend stays and family travel
15 opportunities.

16 b. The office shall also develop an appropriate methodology to
17 conduct an ongoing survey of the effectiveness of New Jersey's
18 travel and tourism marketing and media activities, including the
19 branding of the State as a tourism destination, and consumer
20 satisfaction and awareness of New Jersey as a tourist destination.
21 The research shall provide for the regular documentation of
22 standard tourism indicators, including hotel occupancy rates, room
23 rates, rental activity, seasonal fluctuation per travel sector or region,
24 State park visitation rates, utilization of the top 15 tourism
25 attractions in the State, and utilization of the State's visitor centers.
26 The division may contract with a consulting organization or
27 organizations to establish the underlying research methodology and
28 instrument, and to conduct, update, and interpret the research. The
29 office and the division shall ensure that there is no duplication
30 between the research conducted pursuant to this subsection and the
31 survey required to be annually commissioned by the council to be
32 conducted by the New Jersey Center for Hospitality and Tourism at
33 Richard Stockton College of New Jersey pursuant to subsection h.
34 of section 10 of P.L.1977, c.225 (C.34:1A-54).

35 c. The office shall develop a comprehensive survey of the
36 State's tourism assets, and shall identify and organize tourist
37 attractions in the State by tourism sector. Such sectors may include,
38 but may not be limited to:

- 39 (1) heritage tourism, including colonial or Revolutionary War
40 venues, historic towns and villages, sites related to the early
41 Industrial Revolution in America, historic urban sites, and maritime
42 and military history;
- 43 (2) amusements and entertainment, which shall include cultural
44 events, festivals, exhibits, theme parks, museums, and gaming;
- 45 (3) attractions based on scenic beauty, including State parks;
- 46 (4) sports and outdoors tourism, including professional and
47 semi-professional sports and family sporting opportunities such as
48 water sports, fishing, skiing, and hiking;

1 (5) retail tourism, including business districts of unusual or
2 specialized interest and venues featuring specialized retailing,
3 including but not limited to, antiques and outlet shopping;

4 (6) agricultural, food, and beverage tourism, including
5 agricultural museums, farm tours, hayrides, and sites of agricultural
6 interest, which may also include, in connection with the Department
7 of Agriculture, promotion of New Jersey agricultural products,
8 including New Jersey grown or processed comestibles, the New
9 Jersey nursery industry, including specialty nurseries, and New
10 Jersey restaurants, wineries, breweries, and distilleries; and

11 (7) the meetings and convention market.

12
13 3. (New section) The Division of Travel and Tourism shall
14 contract with outside marketing experts, after a competitive process
15 for their selection, for the purpose of establishing a comprehensive
16 marketing plan designed to market the State as a tourism
17 destination. The marketing plan shall be completed no later than
18 six months following the effective date of this act, P.L. ,
19 c. (C.) (pending before the Legislature as this bill). The plan
20 shall include, but may not be limited to:

21 a. the designation of target geographic markets within the
22 United States and abroad for the purpose of marketing New Jersey
23 as a destination;

24 b. a plan for the branding of the State as a destination, or
25 extending existing branding to target markets;

26 c. the development of an overall advertising strategy in
27 accordance with the provisions of P.L. , c. (C.) (pending
28 before the Legislature as this bill), including national, regional and
29 foreign advertising, a publications and communications strategy,
30 and an Internet tourism information system;

31 d. the development of a program, in concert with both public
32 and private partners, including regional and local Chambers of
33 Commerce, for Statewide and regional cooperative marketing;

34 e. the development of a uniform tourism signage program for a
35 broad range of tourism activities, which may be by tourism sector
36 or otherwise, in order to create readily identifiable tourist sites,
37 including by tourism sector type, which shall be designed,
38 fabricated, and maintained in a consistent fashion. The division
39 may create a fund to receive contributions from persons, businesses
40 or organizations to develop uniform signage for each tourism
41 sector, including directional signage and signs identifying specific
42 sites, and provide the signs to the Department of Transportation,
43 county and municipal governments, and specific tourism sites or
44 districts;

45 f. the integration of a database of potential travelers in the
46 marketing plan, including group travel organizations and tour
47 operators, which database shall be established and maintained by
48 the Office of Tourism Research pursuant to section 1 of

- 1 P.L. , c. (C.) (pending before the Legislature as this bill), with
2 members of the tourism, hospitality, and travel industries in the
3 State;
- 4 g. the provision of information and assistance to tourism-
5 related businesses in obtaining financing for the enhancement of
6 tourist attractions;
- 7 h. the development of a program designed to provide for (1) the
8 distribution of information about New Jersey as a destination
9 through a promotional and educational program, including
10 familiarization trips for domestic tour operators, tour wholesalers,
11 travel agents, and consumer and travel trade media, and (2)
12 cooperation with airlines, hotel chains and individual hotels in
13 arranging and promoting travel packages targeted to general
14 travelers and travelers with interests in specific tourism sectors as
15 identified by the Office of Tourism Research pursuant to section 1
16 of P.L. , c. (C.) (pending before the Legislature as this
17 bill);
- 18 i. the identification of primary international markets for the
19 promotion of the State as a tourist destination, including the
20 distribution of information and educational programs directed
21 toward increasing the awareness of New Jersey within the
22 international travel trade, including travel agents, tour operators and
23 tour wholesalers. The plan shall include a program to encourage the
24 promotion of New Jersey in travel packages offered by international
25 airlines serving the New York, Philadelphia, and New Jersey
26 markets, through promotional and sales materials tailored to target
27 international markets, and through trade missions and trade shows;
28 and
- 29 j. an analysis of how, as part of the marketing plan, the
30 division may use the services of New Jersey trade offices overseas,
31 other agents in the business of promoting the export of New Jersey
32 products and services, or Visit USA Committee or similar
33 committees or centers established under the aegis of the federal
34 government, to promote this State as a tourist destination.
- 35
- 36 4. (New section) a. The division shall, either directly or
37 through consultants with expertise in the field, provide training and
38 assistance to persons or business entities in the tourism, hospitality,
39 and travel industries to facilitate the growth and expansion of
40 tourist facilities and attractions. Training shall include, but may not
41 be limited to:
- 42 (1) resource management and development;
- 43 (2) product development;
- 44 (3) tourism business development;
- 45 (4) identifying and positioning new tourism product lines
46 through targeted marketing; and
- 47 (5) assistance in obtaining financing from private and public
48 sources to fund improvements for tourist attractions through such

1 sources as may be available, including, but not limited to, grants to
2 fund direct improvements to natural resources and historic sites
3 through programs of the United States Army Corps of Engineers.

4 b. The division shall also establish educational and
5 informational programs directed toward individuals or business
6 entities that are interested in starting and operating a tourism
7 business; investing in the State's tourism industry; or wishing to
8 expand an existing tourism operation.

9
10 5. (New section) The division shall create a set of free mobile
11 applications for download to smart phones and other mobile
12 communications devices for use by tourists, travelers, and members
13 of the public to facilitate tourism activities in this State. The mobile
14 applications shall be developed for various tourism, hospitality, and
15 travel categories, which shall include, but may not be limited to,
16 navigation, attractions, dining, and entertainment. In developing the
17 mobile applications, the division shall evaluate similar tourism-
18 oriented mobile applications developed for use in other
19 jurisdictions. The division may contract with private mobile
20 application developers after a competitive process to develop the
21 applications required under this section.

22
23 6. Section 8 of P.L.1977, c. 225 (C.34:1A-52) is amended to
24 read as follows:

25 8. The director, upon consultation with the council, shall
26 develop a 10-year master plan for the growth of tourism for
27 presentation to the Governor and the Legislature no later than
28 February 1, 1979.

29 The plan shall include, but not be limited to, consideration of the
30 following:

31 a. New Jersey's need for additional job opportunities and for
32 tax revenues;

33 b. The optimum distribution of the tourist industry throughout
34 the State and the effect of such industry on the environment;

35 c. The upgrading and improvement of the facilities and
36 services available to tourists in New Jersey;

37 d. The development of tourist destination areas attractive in
38 appearance, manageable in terms of densities, and with wholesome
39 recreational opportunities;

40 e. The protection and preservation of shoreline areas;

41 f. The providing of access to shoreline areas for tourists and
42 the assurance of the rights of residents to the use of public beaches
43 and public beach access areas, surfing and fishing sites, hiking
44 trails, and other recreational sites and scenic areas;

45 g. The reconstruction, maintenance, and preservation of sites
46 which have been important in New Jersey history and American
47 history;

1 h. The promotion of various cultural and ethnic holidays,
2 observances, and festivities and of understanding by visitors and
3 residents of the social and cultural contributions of all ethnic
4 groups and people residing in New Jersey; **[and]**

5 i. The desirability and the feasibility of creating a Department
6 of Tourism; and

7 j. The resources needed to foster and encourage a robust
8 tourism sector through the training and assistance of tourism
9 industry businesses.

10 (cf: P.L.1977, c. 225, s.8)

11
12 7. Section 9 of P.L.1977, c.225 (C.34:1A-53) is amended to
13 read as follows:

14 9. In the pursuance and promotion of a State policy on tourism,
15 the division, at the direction of the Secretary of State, shall:

16 a. Provide and promote adequate opportunities for county and
17 municipal participation, federal agency participation, and private
18 citizens' involvement in the decision-making process of tourism
19 planning and policy formulation;

20 b. Encourage all State, county, and municipal governmental
21 and private agencies to do their utmost to assure the personal safety
22 of residents and tourists both within and without tourist destination
23 areas;

24 c. Take whatever administrative, litigable, and legislative steps
25 as are necessary to minimize the problems of tourists in not
26 receiving contracted services, including transportation, tours,
27 hotels;

28 d. Attempt to reconcile and balance the activities and
29 accommodations of the tourist with the daily pursuits and lifestyles
30 of the residents;

31 e. Develop an understanding among all citizens of the role of
32 tourism in New Jersey, both in terms of its economic and social
33 importance and the problems it presents, through appropriate formal
34 and informal learning experiences;

35 f. Cooperate with the Department of Education to promote
36 throughout the educational system of New Jersey an awareness of
37 New Jersey history and culture;

38 g. Ensure that the growth of the tourist industry is consistent
39 with the attainment of economic, social, physical, and
40 environmental objectives in any State plan and county plans that are
41 adopted;

42 h. Continuously monitor and evaluate the social costs of
43 growth of the tourist industry against the social benefits;

44 i. Emphasize in the State's tourism promotional efforts the
45 high quality of the State's natural and cultural features;

46 j. Promote the tourist industry through such activities as
47 Visitors Bureaus and similar county and municipal agencies, and

1 assure that the tourist industry contributes its fair share of the cost
2 of such promotion;

3 k. Request and receive from any department, division, board,
4 bureau, commission, or other agency of the State, or any political
5 subdivision or public authority thereof, such assistance and data as
6 may be necessary to enable the division to carry out its
7 responsibilities under this act;

8 l. In consultation with the council, review annually and, if
9 necessary, revise or update the 10-year master plan developed
10 pursuant to section 8 of P.L.1977, c.225 (C.34:1A-52), and submit a
11 report to the Governor and the Legislature containing an evaluation
12 of the preceding year's activities and developments in tourism and
13 the revisions recommended in the master plan;

14 m. At the direction of the council, operate the division's Travel
15 and Tourism Cooperative Marketing Campaign Program; **[and]**

16 n. Establish and operate the division's Travel and Tourism
17 Advertising and Promotion Program; and

18 o. Develop and deliver training programs for current or
19 potential tourism businesses to foster a robust tourism sector in this
20 State.

21 (cf: P.L.2007, c.253, s.6)

22

23 8. Section 10 of P.L.1977, c.225 (C.34:1A-54) is amended to
24 read as follows:

25 10. The council shall:

26 a. Aid the division in the formulation and updating of the 10-
27 year master plan developed pursuant to section 8 of P.L.1977,
28 c.225 (C.34:1A-52) and the annual review thereof;

29 b. Consider all matters referred to it by the Secretary of State;

30 c. Make recommendations to the division on any matter
31 relating to tourism and the tourist industry in New Jersey and to
32 those objectives and responsibilities specified in sections 8 and 9 of
33 P.L.1977, c.225 (C.34:1A-52 and C.34:1A-53);

34 d. Direct the division to review the spending of funds by the
35 regional tourism councils and provide comments and
36 recommendations to such councils on the spending of funds when
37 appropriate;

38 e. Direct the division to encourage the development of local
39 marketing organizations, including but not limited to destination
40 marketing organizations and convention and visitor bureaus;

41 f. Direct the division to ensure that a recipient of funding by
42 the Department of State for tourism promotion is in compliance
43 with all terms of the funding agreement, and that the recipient's
44 promotional message is consistent with the promotional message for
45 the State established by the Secretary of State;

46 g. Direct the division on the operation of the division's Travel
47 and Tourism Cooperative Marketing Campaign Program;

1 h. Commission the New Jersey Center for Hospitality and
2 Tourism at Richard Stockton College of New Jersey to conduct an
3 annual survey and analysis of New Jersey's tourism industry for the
4 purpose of providing data to improve the effectiveness of tourism
5 promotion. The council shall direct the division to make the survey
6 and analysis results available to tourism groups throughout the
7 State. In a year during which the New Jersey Center for Hospitality
8 and Tourism is unable or unavailable to conduct the survey and
9 analysis, the council shall choose another entity to conduct the
10 survey and analysis for that year. The survey and analysis required
11 to be commissioned pursuant to this subsection shall be in
12 coordination with the Office of Tourism Research in order to avoid
13 duplication; and

14 i. Perform other duties as assigned by the Secretary of State.
15 (cf: P.L.2007, c.253, s.8)

16
17 9. This act shall take effect immediately.

18
19
20 STATEMENT

21
22 This bill establishes the Office of Tourism Research in the
23 Division of Travel and Tourism in the Department of State, and
24 requires the office and the division to take specific measures
25 concerning tourism advertising, marketing, research, and training
26 for tourism-related businesses.

27 Under the bill, the Office of Tourism research would coordinate
28 and undertake ongoing research on the travel and tourism market
29 within the State, which research would support and inform the
30 tourism marketing activities routinely undertaken by the division
31 and the tourism industry. The office would conduct research to
32 create a database of potential travelers, which would be
33 incorporated into current marketing strategies. The potential
34 travelers would be targeted as primary audiences for general,
35 regional, seasonal, and specialized travel within the State. The
36 office would also develop an appropriate methodology to routinely
37 conduct an ongoing survey of the effectiveness of the State's travel
38 and tourism marketing activities. In addition, the office would
39 develop a comprehensive survey of the State's tourism assets and
40 identify and organize tourism attractions into at least seven sectors.
41 These sectors would include, but would not be limited to, heritage;
42 amusements and entertainment; scenic attractions; sports and
43 outdoors; retail; agricultural, food and beverage; and meetings and
44 convention tourism.

45 The bill also directs the Division of Travel and Tourism to
46 contract with outside marketing experts after a competitive process
47 to establish a comprehensive marketing plan designed to market the
48 State as a tourism destination within the United States and abroad.

1 The marketing plan would include the designation of target
2 geographic markets; the State's branding as a tourist destination; an
3 overall advertising strategy; Statewide and regional cooperative
4 marketing; uniform tourism signage; the integration of a database of
5 potential travelers developed by the office into the marketing plan;
6 information and assistance for tourism-related businesses in
7 obtaining financing for enhancing tourist attractions; the
8 distribution of information to the travel industry and others about
9 New Jersey as a destination; the identification of primary
10 international markets; and an analysis of how the division may use
11 the services of New Jersey trade offices overseas to promote the
12 State as a destination.

13 The division is also directed under the bill to provide training
14 and assistance to persons or business entities in the tourism,
15 hospitality, and travel industries, either directly or through
16 consultants who are experts in the field. The training would aim to
17 facilitate the growth and expansion of tourist facilities and
18 attractions. Training would include, but may not be limited to,
19 resource management and development; product development;
20 tourism business development; identifying and positioning new
21 tourism product lines through targeted marketing; and assistance in
22 obtaining financing from private and public sources to fund
23 improvements for tourist attractions. For potential tourism
24 businesses, the division would establish educational and
25 informational programs directed toward individuals or business
26 entities that are interested in starting and operating a tourism
27 business; investing in the State's tourism industry; or wishing to
28 expand an existing tourism operation.

29 Finally, the bill directs the division to create a set of free mobile
30 applications for download to smart phones and other mobile
31 communications devices for use by tourists, travelers, and members
32 of the public to facilitate tourism activities in this State. The mobile
33 applications would be developed for various tourism, hospitality,
34 and travel categories. These categories would include, but would
35 not be limited to, navigation, attractions, dining, and entertainment.
36 In developing the mobile applications, the bill requires the division
37 evaluate similar tourism-oriented mobile applications developed for
38 use in other jurisdictions. The division is permitted to contract with
39 private mobile application developers after a competitive process to
40 develop the applications.

41 The bill amends current law to require the division to consider
42 the resources needed to foster and encourage a robust tourism sector
43 through the training and assistance of tourism industry businesses.
44 The bill also amends current law to require the division to
45 undertake such tourism business training, and to avoid duplication
46 in the research activities undertaken by the Office of Tourism
47 Research established under the bill and the existing New Jersey
48 Tourism Policy Council.