

# HCR162

REQUESTING THE  
LEGISLATIVE  
REFERENCE BUREAU  
TO EXAMINE IF AND  
HOW OTHER STATES  
REGULATE TOUR  
OPERATORS WITHIN  
THEIR JURISDICTION.

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of  
CARTY S. CHANG  
Interim Chairperson**

**Before the Senate Committee on  
TOURISM AND INTERNATIONAL AFFAIRS**

**Monday, April 20, 2015  
10:30 am  
State Capitol, Conference Room 312**

**In consideration of  
HOUSE CONCURRENT RESOLUTION 162  
REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EXAMINE IF AND  
HOW OTHER STATES REGULATE TOUR OPERATORS WITHIN THEIR  
JURISDICTION**

House Concurrent Resolution 162 requests the Legislative Reference Bureau (LRB) to examine if and how other states regulate tour operators within their jurisdictions. **The Department of Land and Natural Resources (Department) supports this measure and offers comments.**

The LRB examination of how other states regulate commercial tour operators comes at an opportune time for the Department. There continues to be an increase of unauthorized activity on both managed and closed areas. The recent legal issues associated with “lava tours” on Hawaii Island are a good example. The proliferation of kayak rentals and tours creating local community impact is another good example. Across the Hawaii chain, there is a proliferation of both land and water related tours due to our reliance on tourism and the visitor trends relating to continued interest in a unique outdoor experience. This appetite has been stimulated by the proliferation of social media where visitors are continually posting images of new and oftentimes remote locations. The tour industry has recognized that there is a growing niche market servicing this interest.

The Department would be very interested to learn of how other states have responded to both managing and regulating this type of tourism to see if there are applicable, successful and affordable models in place to apply to land and water under the jurisdiction of the Department.

**CARTY S. CHANG**  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**KEKOA KALUHIWA**  
FIRST DEPUTY

**W. ROY HARDY**  
ACTING DEPUTY DIRECTOR - WATER

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Written Testimony

## **HCR162**

### **REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EXAMINE IF AND HOW OTHER STATES REGULATE TOUR OPERATORS WITHIN THEIR JURISDICTION**

Testimony by the Legislative Reference Bureau  
Charlotte A. Carter-Yamauchi, Acting Director

Presented to the Senate Committee on Tourism and International Affairs

Monday, April 20, 2015, 10:30 a.m.  
Conference Room 312

Chair Kahele and Members of the Committee:

Good morning Chair Kahele and members of the Committee, my name is Charlotte Carter-Yamauchi and I am the Acting Director of the Legislative Reference Bureau. Thank you for providing the opportunity to submit written comments on H.C.R. No. 162, Requesting the Legislative Reference Bureau to Examine If and How Other States Regulate Tour Operators Within Their Jurisdiction.

The purpose of this measure is to request that the Bureau:

- (1) Examine if and how other states regulate tour operators within their jurisdiction;
- (2) Include in the examination, a review of the laws, policies, and procedures adopted by other states to regulate tour operators, if any; and
- (3) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2016.

The Bureau takes no position on this measure, but believes that the services requested of the Bureau under this measure, as currently drafted, are manageable and that the Bureau will be able to provide the services in the time allotted; provided that the Bureau's interim workload is not adversely impacted by too many other studies or additional responsibilities, such as conducting, writing, or finalizing other reports, drafting legislation, or both, for other state agencies, task forces, or working groups that may be requested or required under other legislative measures.

Thank you again for your consideration.