

SB158

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 Committees on
TOURISM AND INTERNATIONAL AFFAIRS
and
COMMERCE AND CONSUMER PROTECTION**

**Friday, March 27, 2015
10:15 am
State Capitol, Conference Room 229**

**In consideration of
SENATE CONCURRENT RESOLUTION 158
REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EXAMINE IF AND
HOW OTHER STATES REGULATE TOUR OPERATORS WITHIN THEIR
JURISDICTION**

Senate Concurrent Resolution 158 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

DANIEL S. QUINN
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Written Testimony

SCR158

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 Committees on Tourism and International Affairs
and Commerce and Consumer Protection

Friday, March 27, 2015, 10:15 a.m.
Conference Room 229

Chairs Kahele and Baker and Members of the Committees:

Good morning Chairs Kahele and Baker and members of the Committees, 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 S.C.R. No. 158, 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.