

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 364

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Energy, Economic Development, and Tourism, Higher Education, and Water and Land, to which was referred S.B. No. 364 entitled:

"A BILL FOR AN ACT RELATING TO TOURISM,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Beginning July 1, 2022, require persons who use the Na Ala Hele trail system for commercial purposes and applicants for new or renewal commercial use permits in state parks, small boat harbors, and ocean recreation management areas; instructor/operator permits; and common carrier certificates and contract carrier permits covering the transportation of passengers to hold and annually maintain a sustainable tourism certificate from the Hawaii Ecotourism Association, achieve and maintain green business recognition by the Hawaii green business program, and ensure that at least one-third of staff members employed by the applicant who have direct contact with visitors are certified as professional tour guides by the University of Hawaii;
- (2) Require the University of Hawaii to update the certification for professional tour guides curriculum and examination, subject to approval by the Aha Moku



Advisory Committee, by June 30, 2020, and every ten years thereafter; and

- (3) Require recertification and renewal of certification for professional tour guides every two years.

Your Committee received testimony in support of this measure from the Aha Moku Advisory Committee, Hawai'i Tourism Authority, and one individual. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Land and Natural Resources; Public Utilities Commission; University of Hawai'i System; and Hawaii Transportation Association.

Your Committees find that this measure is intended to promote tourism while protecting Hawaii's natural resources, perpetuating Hawaii's history, and preserving a high quality of life for Hawaii's residents. Your Committees have heard concerns raised in testimony about the unintentional impact on tourism that the proposed requirements for permits for commercial purposes in the state park system and in the Na Ala Hele trail system may have. Your Committees understand these concerns and note that establishing a task force to examine all factors surrounding professional tour guide certification is necessary before any statutory and regulatory changes are implemented.


Accordingly, your Committees have amended this measure by deleting its contents and inserting contents that:

- (1) Establish a professional tour guide certification task force within the Office of the Lieutenant Governor;
- (2) Require the task force to examine various issues related to professional tour guide certification;
- (3) Require the task force to submit a preliminary report and final report to the Legislature;
- (4) Appropriate funds for the task force's work; and
- (5) Make the measure effective on July 1, 2019.

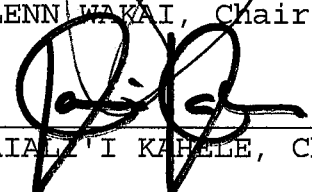


As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism, Higher Education, and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 364, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 364, S.D. 1, and be referred to your Committee on Commerce, Consumer Protection, and Health.

Respectfully submitted on behalf of the members of the Committees on Energy, Economic Development, and Tourism, Higher Education, and Water and Land,


for DONNA MERCADO KIM, Chair

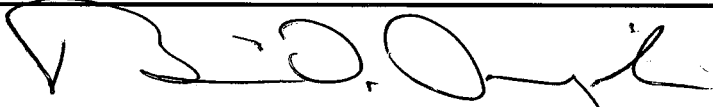

GLENN WAKAI, Chair


KAIALA 'I KAHALE, Chair



The Senate
Thirtieth Legislature
State of Hawai'i


Record of Votes
Committee on Energy, Economic Development, and Tourism
EET

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2104	EET/HRE/WTL, CPA	2/13/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
INOUYE, Lorraine R.	✓			
KEOHOKALOLE, Jarrett	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

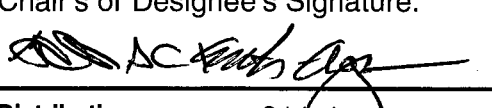
Record of Votes
Committee on Higher Education
HRE

Bill / Resolution No.:* SB 364	Committee Referral: EET/HRE/WTL,CPH	Date: 2/13/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	✓			
KIDANI, Michelle N. (VC)				✓
KAHELE, Kaiali'i	✓			
KEITH-AGARAN, Gilbert S.C.	✓			
FEVELLA, Kurt	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; margin-top:10px;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB 304	Committee Referral: EET/HRE/WTL, CPH	Date: 2/13/2019		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KAHELE, Kaiali'i (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
NISHIHARA, Clarence K.				X
RIVIERE, Gil	X			
FEVELLA, Kurt	X			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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