A BILL FOR AN ACT

RELATING TO STATE SERVICE FEES.

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

SECTION 1. Section 92-28, Hawaii Revised Statutes, is amended to read as follows:

"§92-28 State service fees; increase or decrease of. Any law to the contrary notwithstanding, the fees or other nontax revenues assessed or charged by any board, commission, or other governmental agency may be increased or decreased by the body in an amount not to exceed fifty per cent of the statutorily assessed fee or nontax revenue, to maintain a reasonable relation between the revenues derived from such fee or nontax revenue and the cost or value of services rendered, comparability among fees imposed by the State, or any other purpose which it may deem necessary and reasonable; provided that:

(1) The authority to increase or decrease fees or nontax revenues shall be subject to the approval of the governor and extend only to the following: chapters 36, 92, 94, 142, 144, 145, 147, 150, 171, 188, 189, 231, [269, 271], 321, 338, [373, 412, 414, 414D,

(2) The authority to increase or decrease fees or nontax revenues under the chapters listed in paragraph (1) that are established by the department of commerce and consumer affairs shall apply to fees or nontax revenues established by statute or rule;

(3) The authority to increase or decrease fees or nontax revenues established by the University of Hawaii under chapter 304A shall be subject to the approval of the
board of regents; provided that the board's approval
of any increase or decrease in tuition for regular
credit courses shall be preceded by an open public
meeting held during or prior to the semester preceding
the semester to which the tuition applies;

(4) This section shall not apply to judicial fees as may
be set by any chapter cited in this section;

(5) The authority to increase or decrease fees or nontax
revenues pursuant to this section shall be exempt from
the public notice and public hearing requirements of
chapter 91; and

(6) Fees for copies of proposed and final rules and public
notices of proposed rulemaking actions under chapter
91 shall not exceed 10 cents a page, as required by
section 91-2.5."

SECTION 2. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

BY REQUEST
Report Title:
Department of Commerce and Consumer Affairs; Service Fee; Chapter 92

Description:
Applies section 92-28, Hawaii Revised Statutes, to all fees collected by the Department of Commerce and Consumer Affairs.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.
DEPARTMENT: Commerce and Consumer Affairs

TITLE: A BILL FOR AN ACT RELATING TO STATE SERVICE FEES.

PURPOSE: To apply section 92-28, Hawaii Revised Statutes (HRS), to all fees collected by the Department of Commerce and Consumer Affairs (DCCA or Department).

MEANS: Amend section 92-28, HRS.

JUSTIFICATION: Section 92-28(1), HRS, enumerates the HRS chapters that set fees, including those collected by the DCCA, that may be increased or decreased with the approval of the governor. Currently, this list fails to capture all the fees that the Department collects, and the list is cumbersome in itemizing the statutory chapters subject to the DCCA’s authority to increase or decrease its fees.

Impact on the public: None.

Impact on the department and other agencies: This bill will capture all existing and future DCCA fees and will avoid the need to amend section 92-28(1) whenever the Department’s jurisdiction changes.

GENERAL FUNDS: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: CCA-191.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.