
A BILL FOR AN ACT

RELATING TO STATE PARKS.

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

1 SECTION 1. The legislature finds that in order to
2 effectively manage the State as a visitor destination, new tools
3 are needed by the division of state parks of the department of
4 land and natural resources. In 2018, 11,300,000 residents and
5 tourists visited a state park. In 2019, about sixty per cent of
6 mainland visitors reported going to the beach and thirty-seven
7 per cent reported visiting a park during their stay in Hawaii.
8 Due to budget cuts and reduced funding resulting from the
9 COVID-19 pandemic, new self-funding tools are needed to
10 maintain, improve, and enhance the visitor experience at our
11 state parks.

12 The legislature further finds that the division needs
13 flexible methods to establish user fees to manage entrance,
14 parking, camping, and lodging. The private sector, through
15 industries such as hotels and airlines, utilizes dynamic pricing
16 strategies to manage patronage during fluctuating periods of use
17 and demand.



1 The legislature also finds that the administrative
2 rulemaking process under chapter 91, Hawaii Revised Statutes,
3 serves the important function of providing the opportunity for
4 public review and input. However, it is not designed to quickly
5 respond to rapidly changing resource conditions. An alternative
6 process with fewer procedural steps would enable the board of
7 land and natural resources to quickly update fee structures to
8 respond to rapidly changing conditions, while also providing
9 opportunity for public review and comment.

10 The purpose of this Act is to:

- 11 (1) Authorize the board of land and natural resources to
12 adopt, amend, and repeal administrative fee schedules
13 for the division of state parks within the department
14 of land and natural resources by formal board action
15 at a publicly noticed meeting; and
- 16 (2) Raise the expenditure ceiling for the state parks
17 special fund.

18 SECTION 2. Chapter 184, Hawaii Revised Statutes, is
19 amended by adding a new section to part I to be appropriately
20 designated and to read as follows:



1 "§184- **Fee schedules.** (a) Notwithstanding any law to
2 the contrary, the board of land and natural resources may adopt,
3 amend, or repeal administrative fee schedules, exempt from
4 chapter 91, for all camping, lodging, parking, group use, and
5 special use activities, including entrance to Diamond Head State
6 Monument, for which the department charges fees. Fee schedules
7 may be adopted at regular or special meetings of the board of
8 land and natural resources pursuant to section 171-5.

9 (b) The division of state parks shall post notice on the
10 division's and department's websites of proposed amendments to
11 administrative fee schedules at least forty-five days prior to
12 the meeting of the board of land and natural resources at which
13 the amended fee schedule is to be considered. The notice shall
14 include:

15 (1) The full text of the proposed amended fee schedule in
16 Ramseyer format; and
17 (2) The date, time, and place where the board of land and
18 natural resources meeting is to be held and where
19 interested persons may provide written testimony or be
20 heard on the proposed fee schedule adoption,
21 amendment, or repeal.



1 (c) The board of land and natural resources shall afford
2 all interested persons an opportunity to submit data, views, or
3 arguments, orally or in writing. The board of land and natural
4 resources shall fully consider all written and oral submissions
5 respecting the proposed administrative fee schedule and shall
6 make its decision at the meeting pursuant to section 171-5.

7 (d) Any administrative fee schedule adopted, amended, or
8 repealed pursuant to this section shall become effective ten
9 days after adoption by the board of land and natural resources,
10 unless otherwise specified by the board. If the board of land
11 and natural resources specifies a later effective date, the
12 later date shall be the effective date; provided that no
13 administrative fee schedule shall have an effective date more
14 than thirty days after adoption of the administrative fee
15 schedule by the board.

16 (e) The division of state parks shall maintain a file of
17 administrative fee schedules in Ramseyer format on the
18 division's and department's websites.

19 (f) For the purposes of this section "administrative fee
20 schedules" may include a fee range with a minimum and maximum
21 amount to be charged."



1 SECTION 3. There is appropriated out of the state parks
2 special fund the sum of \$ or so much thereof as may be
3 necessary for fiscal year 2021-2022 and the same sum or so much
4 thereof as may be necessary for fiscal year 2022-2023 for the
5 administration of the state parks programs pursuant to the state
6 parks special fund under section 184-3.4, Hawaii Revised
7 Statutes.

8 The sums appropriated shall be expended by the department
9 of land and natural resources for the purposes of this Act.

10 SECTION 4. New statutory material is underscored.

11 SECTION 5. This Act shall take effect on January 1, 2050.



Report Title:

Department of Land and Natural Resources; Board of Land and Natural Resources; State Parks; Fee Schedules; State Parks Special Fund; Appropriation

Description:

Allows the board of land and natural resources to adopt, amend, or repeal administrative fee schedules for certain activities related to state parks through regular or special board meetings rather than through administrative rulemaking. Appropriates funds out of the state parks special fund to raise the expenditure ceiling of the special fund. Effective 1/1/2050. (HD1)

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