

STAND. COM. REP. NO.

112

Honolulu, Hawaii

FEB 07 , 2023

RE: H.B. No. 1162

H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Tourism, to which was referred H.B. No. 1162 entitled:

"A BILL FOR AN ACT RELATING TO VISITOR IMPACT FEES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish a Visitor Impact Fee Program within the Department of Land and Natural Resources to collect a fee for a license to visit a state park, forest, hiking trail, or other state natural areas;
- (2) Establish the Environmental Legacy Commission to allocate revenues from the visitor impact fee to protect and manage natural resources; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Office of the Governor, Department of the Attorney General, Department of Land and Natural Resources, Hawai'i Tourism Authority, Conservation International, Kanu Hawai'i, Kua'āina Ulu 'Auamo, Kupu, Surfrider Foundation Hawai'i, The Nature Conservancy, Hawai'i Alliance for Community-Based Economic Development, Sustainable Coastlines Hawai'i, Blue Planet Foundation, Hawai'i

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Reef and Ocean Coalition, Hawai'i Forest & Trail, Trust for Public Land, Hawai'i Alliance for Progressive Action, Hawai'i Youth Climate Coalition, Wastewater Alternatives & Innovations (WAI), National Tropical Botanical Garden, Young Progressives Demanding Action, The Conservationist Collective, Pono Hawai'i Initiative, Parley for the Oceans, Resources Legacy Fund, Malama Pupuokea-Waimea, Hawai'i Land Trust, Mālama Learning Center, Papahānaumokuakea Marine Debris Project, Kuleana Coral Restoration, Zero Waste Hawai'i Island, Travel2Change, Mālama Maunaloa, Kailua Beach Adventures, Good Food Movement, Care About Climate, Protea Zero Waste Store, Agripelago, Native Ecosystem Services, Delphi Cinema, Keep it Simple Honolulu, North Shore Community Land Trust, Hawai'i Wildlife Fund, Wild Kids, Hawai'i Lodging & Tourism Association, and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from Maui Hotel & Lodging Association, Tax Foundation of Hawaii, and one individual.

Your Committee finds that there is a critical need for additional and scaled revenue to protect, restore, and enhance the State's irreplaceable natural resources. While visitors play a substantial role in the State's economy, the increase in the number of visitors has taken a heavy toll on the State's natural resources. These resources are invaluable to the livelihoods of the State's residents and an integral driver of the State's economy. Your Committee believes that a transformational investment in the State's natural resources through a visitor impact fee program under this measure will provide a pathway to environmental and economic resilience for local communities and the visitor industry.

Your Committee has amended this measure by:

- (1) Deleting all references to the Environmental Legacy Commission and transferring all responsibilities and duties to the Board of Land and Natural Resources, where applicable;
- (2) Setting the maximum civil fine for violating the visitor impact fee and license requirement at \$500;
- (3) Clarifying that the Department of Land and Natural Resources may charge separate entrances fees for certain



state-owned natural areas in addition to the license fee proposed by this measure;

- (4) Deleting language that would have required the Department to amend its rules to ensure that persons who purchase a license under this measure are not assessed a separate entrance fee;
- (5) Requiring the Department of Business, Economic Development, and Tourism to conduct a study on the potential revenue expected to be generated under this measure;
- (6) Appropriating funds for four full-time equivalent positions in the Department of Land and Natural Resources to administer the Visitor Impact Fee Program; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1162, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1162, H.D. 1, and be referred to your Committee on Water & Land.

Respectfully submitted on  
behalf of the members of the  
Committee on Tourism,

  
SEAN O'BRIEN, Chair



