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

12 The legislature further finds that the division needs
13 flexible methods to establish user fees to manage entrances,
14 parking lots, camping sites, and lodging. The private sector,
15 through industries such as hotels and airlines, utilizes dynamic
16 pricing strategies to manage patronage during fluctuating
17 periods of use 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 to adopt, amend, and repeal
12 administrative fee schedules for the division of state
13 parks within the department of land and natural
14 resources by formal board action at a publicly noticed
15 meeting rather than through administrative rulemaking;
16 and
17 (2) Make an appropriation from the state parks special
18 fund for the administration of the state parks
19 program.



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

4 "§184- Fee schedules. (a) Notwithstanding any law to
5 the contrary, the board of land and natural resources may adopt,
6 amend, or repeal administrative fee schedules, exempt from
7 chapter 91, for all user fees, including but not limited to
8 camping, lodging, parking, group use, and special use activities
9 for which the department charges fees. Fee schedules may be
10 adopted at regular or special meetings of the board of land and
11 natural resources pursuant to section 171-5.

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

18 (1) The full text of the proposed amended fee schedule in
19 Ramseyer format; and

20 (2) The date, time, and place where the board of land and
21 natural resources meeting is to be held and where



1 interested persons may provide written testimony or be
2 heard on the proposed fee schedule adoption,
3 amendment, or repeal.

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

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

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



1 (f) For the purposes of this section "administrative fee
2 schedules" includes a fee range with a minimum and maximum
3 amount to be charged."

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

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

13 SECTION 4. New statutory material is underscored.

14 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.
(SD1)

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