



GOV. MSG. NO. 1322

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 6, 2021

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 6, 2021, the following bill was signed into law:

HB1276 HD1 SD1 CD1

RELATING TO STATE PARKS.
ACT 194 (21)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

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 authorize the board of land
11 and natural resources to adopt, amend, and repeal administrative
12 fee schedules for the division of state parks within the
13 department of land and natural resources by formal board action
14 at a publicly noticed meeting rather than through administrative
15 rulemaking.

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

19 "§184- **Fee schedules.** (a) Notwithstanding any law to
20 the contrary, the board of land and natural resources may adopt,
21 amend, or repeal administrative fee schedules, exempt from



1 chapter 91, for all user fees, including but not limited to
2 camping, lodging, parking, group use, and special use activities
3 for which the department charges fees. Fee schedules may be
4 adopted at regular or special meetings of the board of land and
5 natural resources pursuant to section 171-5.

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

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

14 (2) The date, time, and place where the board of land and
15 natural resources meeting is to be held and where
16 interested persons may provide written testimony or be
17 heard on the proposed fee schedule adoption,
18 amendment, or repeal.

19 (c) The board of land and natural resources shall afford
20 all interested persons an opportunity to submit data, views, or
21 arguments, orally or in writing. The board of land and natural



1 resources shall fully consider all written and oral submissions
2 respecting the proposed administrative fee schedule and shall
3 make its decision at the meeting pursuant to section 171-5.

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

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

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

19 SECTION 3. New statutory material is underscored.

20 SECTION 4. This Act shall take effect upon its approval.



H.B. NO.

1276
H.D. 1
S.D. 1
C.D. 1

APPROVED this 06 day of JUL , 2021

A handwritten signature in black ink, appearing to read "David Ige". The signature is fluid and cursive, with a large, sweeping flourish at the end.

GOVERNOR OF THE STATE OF HAWAII

HB No. 1276, HD 1, SD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2021
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki
Speaker
House of Representatives

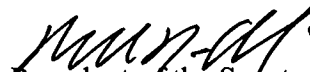



Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 27, 2021
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2021.


President of the Senate


Clerk of the Senate