
A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

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

1 SECTION 1. The legislature finds that Hawaii's natural and
2 cultural resources, including reefs, beaches, oceans, forests,
3 streams, estuaries, and shorelines, provide irreplaceable and
4 invaluable benefits to residents and visitors. These natural
5 and cultural resources are critical to generating billions of
6 dollars for Hawaii's economy and the local community and
7 supporting thousands of jobs for residents. Hawaii's natural
8 and cultural resources are inseparable from the State's culture
9 and directly support the visitor industry and the livelihoods
10 that depend on the visitor industry.

11 The legislature further finds that despite the incredible
12 value of Hawaii's natural and cultural resources, the State
13 currently invests less than one per cent of its budget to
14 protect, restore, and manage these assets. To leave a healthy
15 natural and cultural resources legacy for future generations of
16 Hawaii residents and visitors, the State must urgently address
17 the estimated \$360,000,000 annual conservation funding gap and



1 provide sustained, increased funding for Hawaii's natural and
2 cultural resources and environment.

3 The legislature also finds that Hawaii's natural
4 environment faces significant environmental pressures from heavy
5 use by persons traveling from throughout the world to enjoy the
6 State's natural beauty and natural and cultural resources.
7 Hawaii's natural environment also faces increasing challenges as
8 a result of climate change. Continuing to underinvest in the
9 protection and care of Hawaii's natural and cultural resources
10 poses a significant liability to the State's visitor industry,
11 the stability of the natural systems, including water quality,
12 and economic resilience. Hawaii residents already contribute
13 significantly to the protection and management of the State's
14 natural and cultural resources through taxes. With escalating
15 visitor impacts, there is an immediate need for additional
16 resources to protect, restore, and manage Hawaii's natural and
17 cultural resources.

18 The legislature believes that it is reasonable and timely
19 to ask visitors to Hawaii who enjoy local natural and cultural
20 resources to further contribute to the protection, restoration,
21 and care of these resources. Visitor green fees have been



1 successfully implemented in other visitor destinations around
2 the world, including the Galapagos Islands, New Zealand, and
3 Palau. A visitor green fee program will provide additional
4 resources to protect Hawaii's natural and cultural resources for
5 the enjoyment of future generations while supporting the
6 creation of thousands of jobs for Hawaii residents. A \$50 fee
7 paid by visitors who enjoy Hawaii's public parks, beaches, and
8 trails could generate up to \$400,000,000 each year to enable the
9 State to leave future generations with a healthy and safe
10 environment.

11 The legislature additionally finds that a visitor green fee
12 program can support economic diversification and create
13 thousands of public and private jobs in Hawaii's economy. The
14 legislature now believes it is imperative to raise additional
15 revenues to leave a positive environmental legacy for Hawaii's
16 future generations and that a visitor green fee will provide a
17 reasonable and appropriate way to generate these needed
18 revenues.

19 Accordingly, the purpose of this Act is to:

20 (1) Require the department of land and natural resources
21 to establish a visitor green fee program to collect



1 fees from visitors to the State for the provision of
2 sustained and increased funding for the protection,
3 restoration, and care of Hawaii's natural, cultural,
4 and outdoor recreational resources and build the
5 resilience of these resources against the impacts of
6 climate change and local threats;

7 (2) Establish the Hawaii environmental legacy commission
8 to rank project applications and make recommendations
9 to the board of land and natural resources regarding
10 the allocation of funds collected from the visitor
11 green fee program; and

12 (3) Establish the Hawaii environmental legacy special
13 fund.

14 SECTION 2. Chapter 171, Hawaii Revised Statutes, is
15 amended by adding a new part to be appropriately designated and
16 to read as follows:

17 "PART . VISITOR GREEN FEE PROGRAM

18 §171-A Definitions. As used in this part:

19 "Commission" means the Hawaii environmental legacy
20 commission.



1 "License" means the license issued by the department that
2 allows visitors to use state natural and cultural resources,
3 including beaches, parks, trails, coastlines, and the
4 environment.

5 "Nonprofit organization" means a private, nonprofit
6 organization with nonprofit status acknowledged by the United
7 States Internal Revenue Service that qualifies under section
8 501(c)(3) of the Internal Revenue Code, as amended, and has
9 among its charitable purposes the preservation, restoration,
10 management, or interpretation of natural or cultural resources
11 for scientific, historic, educational, recreational, scenic,
12 wildlife, or open-space purposes, the protection of the natural
13 environment or biological resources, the preservation or
14 enhancement of wildlife, or the protection or interpretation of
15 native Hawaiian cultural resources.

16 "Nonresident" means an individual who is not a resident.

17 "Resident" means an individual who has:

18 (1) Filed or paid state income taxes for the immediately
19 previous tax period; or



1 (2) Established domicile in the State, as evidenced by
2 documentation showing the individual's address,
3 including any of the following:

4 (A) A valid state driver's license;

5 (B) A valid state civil identification card;

6 (C) A valid school identification card; or

7 (D) Any other official document issued to the
8 individual by a government agency, financial
9 institution, insurance company, or utility
10 company in the State.

11 "Special fund" means the Hawaii environmental legacy
12 special fund.

13 **§171-B Visitor green fee program.** (a) There is
14 established a visitor green fee program to provide sustained and
15 increased funding for the protection, restoration, and care of
16 Hawaii's natural, cultural, and outdoor recreational resources
17 and build the resilience of these resources against the impacts
18 of climate change and local threats. Under the program, to be
19 administered by the department, nonresidents shall pay the
20 visitor green fee in order to obtain a license to use Hawaii's
21 public beaches, parks, trails, coastlines, and environment.



1 Visitor green fees collected shall be deposited into the Hawaii
2 environmental legacy special fund established pursuant to
3 section 171-D.

4 (b) Beginning July 1, 2024, it shall be unlawful for any
5 nonresident of the State who has attained the age of fifteen,
6 except for members of the armed forces of the United States of
7 America on active duty, to visit a state park, beach, state-
8 owned forest, or other state-owned natural area or hike on a
9 trail on state-owned land without first obtaining a license
10 pursuant to this part.

11 (c) The department shall establish convenient
12 opportunities for nonresidents to purchase a license, including
13 through a mobile application and an internet website. The
14 department may also establish a separate retail license program
15 to enable retail establishments and nonprofit organizations to
16 sell licenses.

17 (d) The initial visitor green fee shall be \$50 per person.

18 (e) The chairperson may adjust the visitor green fee by
19 rule not more than once every five years, at the rate of the
20 consumer price index change from July 1, 2024, compounded
21 annually, and rounded to the nearest dollar.



1 (f) A license shall be in effect for a three hundred
2 sixty-five day period, including the day of issuance.

3 (g) The department may adopt rules pursuant to chapter 91
4 as necessary to effectuate the purposes of this section.

5 **§171-C Hawaii environmental legacy commission.** (a) There
6 is established within the department the Hawaii environmental
7 legacy commission to rank project applications and make
8 recommendations to the board of land and natural resources
9 regarding the allocation of the visitor green fee funds
10 consistent with the purposes of this part; to support
11 conservation workforce development and economic diversification;
12 and ensure stakeholder engagement, transparency, and
13 effectiveness of the program.

14 (b) The commission shall be composed of the following
15 voting members, to be appointed without need for confirmation by
16 the senate:

17 (1) One representative of a nonprofit environmental
18 organization with expertise in the protection,
19 restoration, and care of terrestrial natural and
20 cultural resources, to be appointed by the
21 chairperson;



- 1 (2) One representative of a nonprofit environmental
2 organization with expertise in the protection,
3 restoration, and care of marine and coastal natural
4 and cultural resources, to be appointed by the
5 chairperson;
- 6 (3) One representative of a nonprofit environmental
7 organization with expertise in climate change
8 mitigation and resiliency, to be appointed by the
9 chairperson;
- 10 (4) Not more than two members who are staff of the
11 department or its attached agencies, to be appointed
12 by the chairperson;
- 13 (5) The director of the office of planning and sustainable
14 development, or the director's designee;
- 15 (6) Not more than two representatives from the Native
16 Hawaiian community who have expertise in the
17 protection, restoration, care, and interpretation of
18 native Hawaiian cultural resources, to be appointed by
19 the chairperson;



1 (7) The president and chief executive officer of the
2 Hawaii tourism authority, or the president and chief
3 executive officer's designee;

4 (8) One youth representative between the ages of eighteen
5 and twenty-five, inclusive, at the time of appointment
6 that works or has worked in the field of environmental
7 sustainability or restoration, to be appointed by the
8 chairperson; and

9 (9) One representative from the visitor and tourism
10 industry, to be appointed by the president and chief
11 executive officer of the Hawaii tourism authority.

12 (c) Commission members shall annually elect a chair and
13 vice-chair of the commission from among its members.

14 (d) The commission shall make recommendations to the board
15 of land and natural resources on the allocation of funding,
16 including grants, from funds deposited in the special fund.
17 Moneys deposited into the special fund shall be allocated by the
18 board for direct expenditure by state agencies and for grants
19 for projects that directly support the purposes of this part,
20 including for projects with one or more of the following
21 purposes:



- 1 (1) Protection, restoration, or enhancement of terrestrial
2 or marine natural and cultural resources, or a
3 combination thereof; provided that up to ten per cent
4 of each grant awarded may be allocated for resource
5 management to ensure the long-term sustainability of
6 state natural and cultural resources;
- 7 (2) Enhancement of interpretive and educational facilities
8 and programs related to the State's natural and
9 cultural resources and the protection of those
10 resources;
- 11 (3) Increase of resilience and adaptation of the State's
12 natural and cultural resources with environmentally
13 beneficial strategies to reduce the adverse impacts of
14 climate change, including coastal erosion, sea level
15 rise, ocean acidification, coral bleaching,
16 destruction of reefs, and other impacts; and
- 17 (4) Removal and control of invasive species and
18 propagation and planting of native species.
- 19 (e) In awarding grants from the special fund, the board of
20 land and natural resources shall prioritize projects that
21 directly support the purposes of this part and:



- 1 (1) Create jobs for Hawaii residents;
- 2 (2) Provide significant long-term protection, restoration,
3 and enhancement of Hawaii's natural and cultural
4 resources;
- 5 (3) Increase the enjoyability of participating in outdoor
6 recreational activities for residents and visitors of
7 the State;
- 8 (4) Involve local communities in the design,
9 implementation, and long-term management of the
10 project; and
- 11 (5) Protect, enhance, or restore natural and cultural
12 resources that contribute to Native Hawaiian cultural
13 practices and that have demonstrated support from
14 Native Hawaiian residents.
- 15 (f) The board of land and natural resources may adopt
16 procedures and guidelines for the prioritization and allocation
17 of moneys from the special fund, including direct grant or
18 competitive grant processes; provided that the board shall hold
19 at least one hearing in each county to receive public comments
20 before adopting grant guidelines.



1 (g) A simple majority of board members shall establish a
2 quorum necessary to approve allocations from the fund.

3 (h) The commission shall hold meetings in public
4 consistent with chapter 92 and any other applicable laws. The
5 commission may hold its meetings in person or online via the
6 Internet, or a combination thereof.

7 (i) Commission members shall serve without compensation
8 but may be reimbursed for reasonable expenses, including travel
9 expenses, necessary for the performance of their duties.

10 (j) Beginning January 2026, the department shall publish
11 an annual report, to be reviewed by the commission, no later
12 than twenty days prior to the convening of each regular session
13 of the legislature on how the Hawaii environmental legacy
14 special fund:

15 (1) Promotes the protection, restoration, and care of
16 Hawaii's natural, cultural, and outdoor recreational
17 resources and builds the resilience of these resources
18 against the impacts of climate change and local
19 threats; and



1 (2) The benefits that accrue or will accrue from those
2 expenditures to state residents, visitors, and natural
3 and cultural resources.

4 §171-D Hawaii environmental legacy special fund. (a)

5 There is established in the state treasury a Hawaii
6 environmental legacy special fund, into which shall be
7 deposited:

8 (1) All proceeds from visitor green fees and licenses
9 purchased pursuant to the visitor green fee program
10 established under section 171-B;

11 (2) Appropriations made by the legislature; and

12 (3) Grants and gifts made to the special fund.

13 (b) Moneys deposited into the special fund shall be used
14 and allocated as directed by the board pursuant to section 171-
15 C(d) and (e) and as follows:

16 (1) At least fifty per cent per fiscal year shall be used
17 for grants to local governments, nonprofit
18 organizations, and community-based organizations;

19 (2) Not more than fifty per cent per fiscal year shall be
20 allocated to state agencies;



1 (3) Up to twenty-five per cent per fiscal year may be used
2 to enhance state management of natural and cultural
3 resources, implementation of state regulatory programs
4 designed to protect natural and cultural resources,
5 and enforcement of natural and cultural resource
6 protection laws and regulations;

7 (4) Not more than five per cent per fiscal year of the
8 amount allocated to state agencies pursuant to
9 paragraph (2) shall be used to administer this part;
10 and

11 (5) Not less than ninety-five per cent per fiscal year
12 shall be used for the purposes described in this
13 section."

14 SECTION 3. In codifying the new sections added by section
15 2 of this Act, the revisor of statutes shall substitute
16 appropriate section numbers for the letters used in designating
17 the new sections in this Act.

18 SECTION 4. This Act shall take effect upon its approval.
19



Report Title:

Department of Land and Natural Resources; Visitor Green Fee Program; Hawaii Environmental Legacy Commission; Special Fund

Description:

Requires Department of Land and Natural Resources to establish a Visitor Green Fee Program to collect fees from nonresidents via a license to use state natural and cultural resources, to be used for the protection, restoration, and care of Hawaii's natural, cultural, and outdoor recreational resources and build the resilience of these resources against the impacts of climate change and local threats. Establishes the Hawaii environmental legacy commission to rank project applications and make recommendations to the Board of Land and Natural Resources concerning the allocation of Visitor Green Fee Program Funds. Establishes the Hawaii Environmental Legacy Special Fund. (SD1)

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