

JAN 28 2026

A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES.

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

1 SECTION 1. Chapter 183, Hawaii Revised Statutes, is
2 amended by adding to part I a new section to be appropriately
3 designated and to read as follows:

4 "§183- Fee schedules. (a) Notwithstanding any law to
5 the contrary, the board may adopt, amend, or repeal
6 administrative fee schedules, exempt from chapter 91, for all
7 fees, including but not limited to camping, cabin rental,
8 parking, group use, commercial activity, and special use
9 activities for which the department charges fees for use of
10 forest reserves. Fee schedules may be adopted at regular or
11 special meetings of the board pursuant to section 171-5.

12 (b) The department shall post notice on the department's
13 website of any proposed amendments to administrative fee
14 schedules at least forty-five days prior to the meeting of the
15 board at which the amended fee schedule is to be considered.

16 The notice shall include:

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

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1 (2) The date, time, and place where the board meeting is
2 to be held and where interested persons may provide
3 written testimony or be heard on the proposed fee
4 schedule adoption, amendment, or repeal.

5 (c) The board shall afford all interested persons an
6 opportunity to submit data, views, or arguments, orally or in
7 writing. The board shall fully consider all written and oral
8 submissions respecting the proposed administrative fee schedule
9 and shall make its decision at the meeting pursuant to section
10 171-5.

11 (d) Any administrative fee schedule adopted, amended, or
12 repealed pursuant to this section shall become effective ten
13 days after adoption by the board, unless otherwise specified by
14 the board. If the board 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 department shall maintain a file of adopted
20 administrative fee schedules on the department's website.

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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 2. Chapter 183D, Hawaii Revised Statutes, is
5 amended by adding to part I a new section to be appropriately
6 designated and to read as follows:

7 **§183D-** **Fee schedules.** (a) Notwithstanding any law to
8 the contrary, the board may adopt, amend, or repeal
9 administrative fee schedules, exempt from chapter 91, for all
10 fees, including but not limited to parking, group use,
11 commercial activity, and special use activities for which the
12 department charges fees for use of wildlife sanctuaries and game
13 management areas and for hunting of game birds and game mammals.
14 Fee schedules may be adopted at regular or special meetings of
15 the board pursuant to section 171-5.

16 (b) The department shall post notice on the department's
17 website of any proposed amendments to administrative fee
18 schedules at least forty-five days prior to the meeting of the
19 board at which the amended fee schedule is to be considered.

20 The notice shall include:

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

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1 (2) The date, time, and place where the board meeting is
2 to be held and where interested persons may provide
3 written testimony or be heard on the proposed fee
4 schedule adoption, amendment, or repeal.

5 (c) The board shall afford all interested persons an
6 opportunity to submit data, views, or arguments, orally or in
7 writing. The board shall fully consider all written and oral
8 submissions respecting the proposed administrative fee schedule
9 and shall make its decision at the meeting pursuant to section
10 171-5.

11 (d) Any administrative fee schedule adopted, amended, or
12 repealed pursuant to this section shall become effective ten
13 days after adoption by the board, unless otherwise specified by
14 the board. If the board 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 department shall maintain a file of adopted
20 administrative fee schedules on the department's website.

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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. Chapter 195, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follows:

7 "§195- Fee schedules. (a) Notwithstanding any law to
8 the contrary, the board of land and natural resources may adopt,
9 amend, or repeal administrative fee schedules, exempt from
10 chapter 91, for all fees, including but not limited to parking,
11 group use, commercial activity, and special use activities for
12 which the department charges fees for use of natural area
13 reserves. Fee schedules may be adopted at regular or special
14 meetings of the board of land and natural resources pursuant to
15 section 171-5.

16 (b) The department shall post notice on the department's
17 website of any proposed amendments to administrative fee
18 schedules at least forty-five days prior to the meeting of the
19 board of land and natural resources at which the amended fee
20 schedule is to be considered. The notice shall include:

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

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

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

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

21 (e) The department shall maintain a file of adopted
22 administrative fee schedules on the department's website.

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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 4. Chapter 198D, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follows

7 "§198D- Fee schedules. (a) Notwithstanding any law to
8 the contrary, the board of land and natural resources may adopt,
9 amend, or repeal administrative fee schedules, exempt from
10 chapter 91, for all fees, including but not limited to camping,
11 lodging, parking, group use, commercial activity, and special
12 use activities for which the department charges fees for use of
13 Na Ala Hele trails and access, including access as established
14 by agreement with the department for purposes of public access.
15 Fee schedules may be adopted at regular or special meetings of
16 the board of land and natural resources pursuant to section 171-

17 5.

18 (b) The department shall post notice on the department's
19 website of any proposed amendments to administrative fee
20 schedules at least forty-five days prior to the meeting of the
21 board of land and natural resources at which the amended fee
22 schedule is to be considered. The notice shall include:

1 (1) The full text of the proposed amended fee schedule in
2 Ramseyer format; and
3 (2) The date, time, and place where the board of land and
4 natural resources meeting is to be held and where
5 interested persons may provide written testimony or be
6 heard on the proposed fee schedule adoption,
7 amendment, or repeal.

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

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

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1 (e) The department shall maintain a file of adopted
2 administrative fee schedules on the department's website.
3 (f) For the purposes of this section "administrative fee
4 schedules" includes a fee range with a minimum and maximum
5 amount to be charged."

6 SECTION 5. Section 102-2, Hawaii Revised Statutes, is
7 amended by amending subsection (b) to read as follows:

8 "(b) The bidding requirements of subsection (a) shall not
9 apply to concessions or space on public property set aside for
10 the following purposes:

11 (1) For operation of ground transportation services and
12 parking lot operations at airports, state parks,
13 small boat harbors, forest reserves, wildlife
14 sanctuaries, game management areas, natural area
15 reserves, or Na Ala Hele trails and access, including
16 access as established by agreement with the department
17 of natural resources, except for motor vehicle rental
18 operations under chapter 437D;
19 (2) For lei vendors;
20 (3) For airline and aircraft operations;
21 (4) For automated teller machines and vending machines,
22 except vending machines located at public schools

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1 to be most advantageous, taking into consideration
2 prices and evaluation factors set forth in the request
3 for proposals;

4 (10) For operation of concessions at county zoos, botanic
5 gardens, or county parks that are designated by the
6 respective county director of parks and recreation, in
7 the director's sole discretion, as environmentally,
8 culturally, historically, or operationally unique and
9 are supported by nonprofit corporations incorporated
10 in accordance with state law solely for purposes of
11 supporting county aims and goals of the zoo, botanic
12 garden, or designated county park, and operating under
13 agreement with the appropriate agency solely for those
14 purposes, aims, and goals;

15 (11) For operation of concessions at state parks, forest
16 reserves, wildlife sanctuaries, game management areas,
17 natural area reserves, or Na Ala Hele trails and
18 access, including access as established by agreement
19 with the department of natural resources, that are
20 designated by the board of land and natural resources
21 as environmentally, culturally, historically, or
22 operationally unique and are supported by nonprofit

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1 corporations incorporated in accordance with state law
2 solely for purposes of supporting state aims and goals
3 of the designated state park, forest reserve, wildlife
4 sanctuary, game management area, natural area reserve,
5 or Na Ala Hele trail and access, including access as
6 established by agreement with the department of
7 natural resources, and operating under agreement with
8 the appropriate agency solely for those purposes,
9 aims, and goals;

10 (12) For operation of concessions at county zoos, botanic
11 gardens, or county parks that are designated by the
12 respective county director of parks and recreation, in
13 the director's sole discretion, as environmentally,
14 culturally, historically, or operationally unique;
15 provided that the concessions are awarded to the
16 responsible offeror whose proposal is determined to be
17 the most advantageous, taking into consideration
18 prices and evaluation factors set forth in the request
19 for proposals;

20 (13) For operation of concessions that furnish goods or
21 services for which there is only one source, as
22 determined by the head of the awarding government

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1 agency in writing; provided that the written
2 determination shall be included in the contract file;
3 (14) For any of the operations of the Hawaii health systems
4 corporation and its regional system boards;
5 (15) For airport operation of concessions; and
6 (16) For the operations of the natural energy laboratory of
7 Hawaii authority."

8 SECTION 6. Section 198D-2, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) The trail and access program shall use funding for
11 the management, maintenance, and development of trails and trail
12 accesses under the jurisdiction of the department from the
13 following sources:

14 (1) A portion of the highway fuel taxes collected under
15 chapter 243;

16 (2) Federal government grants;

17 (3) Private contributions; and

18 (4) Fees, established [pursuant to administrative rules]
19 by the board of land and natural resources and charged
20 by the department for the [commercial and other] use
21 of trails and trail accesses under the jurisdiction of
22 the department."

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1 SECTION 7. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 8. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 9. This Act shall take effect upon its approval.

7

8

INTRODUCED BY:



9

BY REQUEST

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Report Title:

Forestry and Wildlife; Fees; Bidding Requirements Exemptions

Description:

Authorizes the Board of Land and Natural Resources to adopt, amend, or repeal administrative fee schedules for use of certain lands pursuant to a specified procedure and to exempt parking lot and concessions operations on such lands from the bidding requirements for concessions operated on public property.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Land and Natural Resources

TITLE: A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES.

PURPOSE: To authorize the Board of Land and Natural Resources (Board) to adopt, amend, or repeal administrative fee schedules pursuant to a specified procedure for use of forest reserves, wildlife sanctuaries, game management areas, natural area reserves, and Na Ala Hele trails and access, including access as established by agreement with the Department, and to exempt parking lot and concessions operations on such lands from the bidding requirements for concessions operated on public property.

MEANS: Add new sections to part I of chapter 183, part I of chapter 183D, chapter 195, and chapter 198D and amend sections 102-2(b), 183D-3(a), and 198D-2(b), Hawaii Revised Statutes.

JUSTIFICATION: In Act 194, Session Laws of Hawaii (SLH) 2021, the Legislature authorized the Board to adopt, amend, or repeal administrative fee schedules for use of State Parks. In Act 72, SLH 2023, the Legislature exempted parking lot and concessions operations at State Parks from the bidding requirements for concessions operated on public property. Both Acts enhanced the Department's ability to partner with community and place-based nonprofit organizations in the management of State Parks.

The Department's Division of Forestry and Wildlife (DOFAW), which manages forest reserves, wildlife sanctuaries, game management areas, natural area reserves, and Na Ala Hele trails and access, has identified partnerships with community and place-based nonprofit organizations to steward the lands under its jurisdiction.

However, DOFAW lacks the authorities granted by Acts 194 and 72 to the Division of State Parks.

Authorizing the Board to adopt, amend, or repeal administrative fee schedules pursuant to a specified procedure for use of forest reserves, wildlife sanctuaries, game management areas, natural area reserves, and Na Ala Hele trails and access, including access as established by agreement with the Department, and exempting parking lot and concessions operations on these DOFAW-managed lands from the bidding requirements for concessions operated on public property will support management partnerships with community and place-based nonprofit organizations on DOFAW-managed lands.

Impact on the public: This bill will improve the public's experience on DOFAW-managed lands by further empowering community and place-based nonprofit organizations to steward those lands in collaboration with DOFAW and the Department.

Impact on the department and other agencies: This bill will improve the Department's efficiency in managing DOFAW-managed lands by incentivizing partnerships with community and place-based nonprofit organizations who understand the most efficient, cost-effective, and community-centered ways to manage a site.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: None.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon its approval.