

JAN 28 2026

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# A BILL FOR AN ACT

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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12            repealed pursuant to this section shall become effective ten  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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(f) For the purposes of this section "administrative fee schedules" includes a fee range with a minimum and maximum amount to be charged."

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

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

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

The notice shall include:

- (1) The full text of the proposed amended fee schedule in 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

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

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

**"§198D- Fee schedules.** (a) Notwithstanding any law to the contrary, the board of land and natural resources may adopt, amend, or repeal administrative fee schedules, exempt from chapter 91, for all fees, including but not limited to camping, lodging, parking, group use, commercial activity, and special use activities for which the department charges fees for use of Na Ala Hele trails and access, including access as established by agreement with the department for purposes of public access. Fee schedules may be adopted at regular or special meetings of the board of land and natural resources pursuant to section 171-5.

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

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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           operated by blind or visually handicapped persons in  
2           accordance with section 302A-412;
- 3           (5) For operation of concessions set aside without any  
4           charge;
- 5           (6) For operation of concessions by handicapped or blind  
6           persons, except concessions operated in the public  
7           schools by blind or visually handicapped persons in  
8           accordance with section 302A-412;
- 9           (7) For operation of concessions on permits revocable on  
10          notice of thirty days or less; provided that no such  
11          permits shall be issued for more than a one-year  
12          period;
- 13          (8) For operation of concessions or concession spaces for  
14          a beach service association dedicated to the  
15          preservation of the Hawaii beach boy tradition,  
16          incorporated as a nonprofit corporation in accordance  
17          with state law, and whose members are appropriately  
18          licensed or certified as required by law;
- 19          (9) For operation of concessions or concession spaces  
20          providing for beach or ocean-related recreational  
21          services; provided that the concessions are awarded to  
22          the responsible offeror whose proposal is determined

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

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

(13) For operation of concessions that furnish goods or services for which there is only one source, as 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.