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## HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO AMEND  
ITS ADMINISTRATIVE RULES RELATING TO CAMPING AT STATE  
PARKS.

1           WHEREAS, fishing at night on beaches throughout the State  
2 has long been a treasured tradition in Hawaii that is enjoyed by  
3 Native Hawaiian families and the broader public and is a source  
4 of sustenance and recreation; and

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6           WHEREAS, many fishermen use tents, sleeping bags, and other  
7 gear to protect themselves and their families from the night-  
8 time elements; and

9  
10          WHEREAS, in 2002, the Department of Land and Natural  
11 Resources amended section 13-146-2, Hawaii Administrative Rules,  
12 to define camping by the type of "camping paraphernalia" an  
13 individual possesses one hour after sunset until sunrise; and

14  
15          WHEREAS, the amended rules have resulted in the issuance of  
16 permit citations to individuals fishing in state parks who have  
17 been mistaken for campers because of their tents and sleeping  
18 bags; and

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20          WHEREAS, fishermen from Keawaula and Kaena beaches on  
21 Oahu's west and north shores have been especially targeted, with  
22 many of them believing that the revised rules do not allow them  
23 to sufficiently protect themselves from the gusty wind, rain,  
24 and pounding surf that frequents Oahu's rugged shoreline at  
25 night; and

26  
27          WHEREAS, the revised rules have had a significant impact on  
28 Native Hawaiians, whose customary and traditional rights are  
29 protected by the state constitution; and

30



# H.C.R. NO. 186

1 WHEREAS, the Legislature finds that the State's  
 2 administrative rules relating to camping at state parks is a  
 3 health and safety issue that should be addressed expeditiously;  
 4 now, therefore,

5  
 6 BE IT RESOLVED by the House of Representatives of the  
 7 Twenty-fifth Legislature of the State of Hawaii, Regular Session  
 8 of 2010, the Senate concurring, that the Department of Land and  
 9 Natural Resources is requested to amend its administrative rules  
 10 to:

- 11  
 12 (1) Regulate camping while not adversely affecting other  
 13 park uses including fishing;  
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 15 (2) Establish a clear distinction between camping and  
 16 fishing; and  
 17  
 18 (3) Allow fishermen to protect themselves from the  
 19 elements while maintaining the public's safety; and  
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21 BE IT FURTHER RESOLVED that certified copies of this  
 22 Concurrent Resolution be transmitted to the Governor and the  
 23 Chairperson of the Board of Land and Natural Resources.  
 24  
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OFFERED BY:

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