
SENATE 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

5
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

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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

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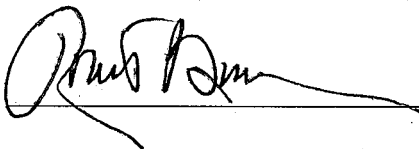
S.C.R. NO. 166

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,
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6 BE IT RESOLVED by the Senate of the Twenty-fifth
7 Legislature of the State of Hawaii, Regular Session of 2010, the
8 House of Representatives concurring, that the Department of Land
9 and Natural Resources is requested to amend its administrative
10 rules 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
 - 20

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.
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26

OFFERED BY:  _____

