
A BILL FOR AN ACT

RELATING TO STATE SERVICE FEES.

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

1 SECTION 1. The legislature finds that state service fee
2 increases are mandated without public review, and impose a
3 financial burden to the public. The public has a right to both
4 know and give input regarding the proposal of significant fee
5 increases or decreases. Therefore, the purpose of this bill is
6 to require that increases or decreases to fees or nontax
7 revenues pursuant to section 92-28, Hawaii Revised Statutes,
8 comply with the public notice and public hearing requirements of
9 chapter 91.

10 SECTION 2. Section 92-28, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§92-28 State service fees; increase or decrease of.** Any
13 law to the contrary notwithstanding, the fees or other nontax
14 revenues assessed or charged by any board, commission, or other
15 governmental agency may be increased or decreased by the body in
16 an amount not to exceed fifty per cent of the statutorily
17 assessed fee or nontax revenue, to maintain a reasonable



1 relation between the revenues derived from such fee or nontax
2 revenue and the cost or value of services rendered,
3 comparability among fees imposed by the State, or any other
4 purpose which it may deem necessary and reasonable; provided
5 that:

6 (1) The authority to increase or decrease fees or nontax
7 revenues shall be subject to the approval of the
8 governor and extend only to the following: chapters
9 36, 92, 94, 142, 144, 145, 147, 150, 171, 188, 189,
10 231, 269, 271, 321, 338, 373, 412, 414, 414D, 415A,
11 417E, 419, 421, 421C, 421H, 421I, 425, 425E, 428, 431,
12 436E, 437, 437B, 438, 439, 440, 441, 442, 443B, 444,
13 447, 448, 448E, 448F, 448H, 451A, 451J, 452, 453,
14 453D, 454, 455, 456, 457, 457A, 457B, 457G, 458, 459,
15 460J, 461, 461J, 462A, 463, 463E, 464, 465, 466, 466K,
16 467, 467E, 468E, 468L, 468M, 469, 471, 482, 482E, 484,
17 485A, 501, 502, 505, 514A, 514B, 514E, 572, 574, and
18 846 (part II);

19 (2) The authority to increase or decrease fees or nontax
20 revenues under the chapters listed in paragraph (1)
21 that are established by the department of commerce and



- 1 consumer affairs shall apply to fees or nontax
2 revenues established by statute or rule;
- 3 (3) The authority to increase or decrease fees or nontax
4 revenues established by the University of Hawaii under
5 chapter 304A shall be subject to the approval of the
6 board of regents; provided that the board's approval
7 of any increase or decrease in tuition for regular
8 credit courses shall be preceded by an open public
9 meeting held during or prior to the semester preceding
10 the semester to which the tuition applies;
- 11 (4) This section shall not apply to judicial fees as may
12 be set by any chapter cited in this section;
- 13 (5) The authority to increase or decrease fees or nontax
14 revenues pursuant to this section shall not be exempt
15 from the public notice and public hearing requirements
16 of chapter 91; and
- 17 (6) Fees for copies of proposed and final rules and public
18 notices of proposed rulemaking actions under chapter
19 91 shall not exceed 10 cents a page, as required by
20 section 91-2.5."

21 SECTION 3. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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H.B. NO. 1821

Report Title:

State Service Fees; Public Notice; Public Hearing

Description:

Requires that increases or decreases to fees or nontax revenues pursuant to section 92-28 comply with the public notice and public hearing requirements of chapter 91.

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