

STAND. COM. REP. NO. 3103

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 3192
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 3192, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO NATURAL RESOURCE MANAGEMENT,"
begs leave to report as follows:

The purpose and intent of this measure is to protect, restore, and build the resilience of Hawaii's natural and outdoor recreational resources.

Specifically, this measure:

- (1) Establishes a visitor green fee program to collect fees from visitors who visit a state park, beach, state-owned forest, hiking trail, or other state-owned natural area;
- (2) Establishes the Environmental Legacy Commission to allocate the revenues from the visitor green fee to protect and manage Hawaii's natural resources;
- (3) Establishes the visitor green fee special fund; and
- (4) Appropriates moneys into and out of the green fee special fund.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Hawaii



Tourism Authority, Kua`aina Ulu `Auamo, Surfrider Foundation, Malama Pupukea-Waimea, Hawaii Green Fee, Wild Kids, Laulima Conservation LLC, Hawaii Alliance for Progressive Action, The Nature Conservancy Hawaii, Hawaii Alliance for Community-Based Economic Development, Hawaii Reef and Ocean Coalition, Maui Chamber of Commerce, The Trust for Public Land, Ka Leo O Na Opio, and twenty-six individuals.

Your Committee received written comments on this measure from the Department of the Attorney General, Department of Budget and Finance, Tax Foundation of Hawaii, Hawaii Lodging and Tourism Association, and one individual.

Your Committee finds that the fee established by this measure would provide additional revenue to bolster the State's existing investments in natural resource management and help to fill Hawaii's conservation funding gap.

Your Committee has amended this measure by:

- (1) Renaming the "visitor green fee", "visitor green fee program", and "visitor green fee special fund" as the "visitor impact fee", "visitor impact fee program", and "visitor impact fee special fund", respectively;
- (2) Clarifying that revenues from the visitor impact fee special fund shall be allocated by the Environmental Legacy Commission for projects that offset adverse environmental impacts caused by licensees or ensure that the State's natural resources are maintained for continued use by licensees, or both;
- (3) Establishing qualifications and conditions for grants awarded pursuant to the visitor impact fee program;
- (4) Deleting provisions that would have established a maximum percentage of moneys that could be allocated for administration of the program or establishment, implementation, and enforcement of regulations;
- (5) Authorizing the Department of Land and Natural Resources to adopt or amend rules to ensure that persons who purchase a license are not assessed a separate entrance

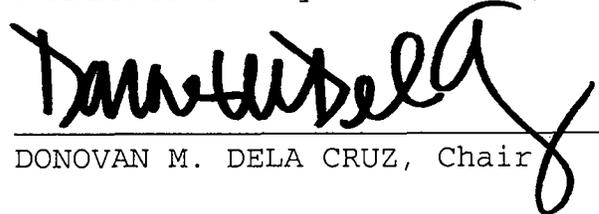


fee to visit state parks, beaches, state-owned forests, hiking trails, or other state-owned natural areas on state-owned lands;

- (6) Clarifying that certain Environmental Legacy Commission members shall be nominated to serve by either the Chairperson of the Board of Land and Natural Resources or the Chief Executive Officer of the Hawaii Tourism Authority for appointment by the Governor, subject to Senate confirmation; and
- (7) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3192, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3192, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DONOVAN M. DELA CRUZ, Chair



