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## A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES.

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

1           SECTION 1. Chapter 171, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§171- Powers; non-delegation. Notwithstanding section  
5 171-6(8), the board shall not delegate to the chairperson powers  
6 and duties that relate:

7           (1) To the bureau of conveyances;

8           (2) To the conservation and resources enforcement program  
9           under chapter 199; and

10          (3) Primarily to natural resources."

11          SECTION 2. Section 6E-5, Hawaii Revised Statutes, is  
12 amended to read as follows:

13          "~~§~~**6E-5**~~§~~ **State historic preservation officer.** The  
14 governor shall appoint a state historic preservation officer,  
15 and may appoint the officer without regard to chapter 76, who  
16 shall be responsible for the comprehensive historic preservation  
17 program and who shall be the state liaison officer for the  
18 conduct of relations with the federal government and the



1    respective states with regard to matters of historic  
2    preservation.    The state historic preservation officer shall be  
3    appointed on the basis of professional competence and experience  
4    in the field of historic preservation and shall be placed in the  
5    department for the purposes of the state program.

6            In appointing the state historic preservation officer, the  
7    governor shall select from a list of four candidates. Two  
8    candidates shall be selected by the speaker of the house of  
9    representatives, and two candidates shall be selected by the  
10 president of the senate."

11            SECTION 3.    Section 6K-5, Hawaii Revised Statutes, is  
12 amended by amending subsection (b) to read as follows:

13            "(b)    The ~~[governor]~~ commission shall ~~[appoint the]~~ select  
14 its chairperson from among ~~[the]~~ its members ~~[of the~~  
15 ~~commission]~~."

16            SECTION 4.    Section 26-15, Hawaii Revised Statutes, is  
17 amended by amending subsection (a) to read as follows:

18            "(a)    The department of land and natural resources shall be  
19 headed by an executive board to be known as the board of land  
20 and natural resources, except for matters relating to the state  
21 water code where the commission on water resource management  
22 shall have exclusive jurisdiction and final authority.



1           The board shall consist of seven members, one from each  
2 land district and three at large. The appointment, tenure, and  
3 removal of the members and the filling of vacancies on the board  
4 shall be as provided in section 26-34. [~~At least one member~~]  
5 All members of the board shall have a background in conservation  
6 and natural resources, as provided in section 171-4.

7           The governor shall appoint the chairperson of the board  
8 from among the members thereof.

9           The board may delegate to the chairperson such duties,  
10 powers, and authority, or so much thereof, as may be lawful or  
11 proper for the performance of the functions vested in the  
12 board[-], except as otherwise provided in section 171- .

13           The chairperson of the board shall serve in a full-time  
14 capacity. The chairperson, in that capacity, shall perform  
15 those duties, and exercise those powers and authority, or so  
16 much thereof, as may be delegated by the board[-], except as  
17 otherwise provided in section 171- ."

18           SECTION 5. Section 171-4, Hawaii Revised Statutes, is  
19 amended by amending subsection (a) to read as follows:

20           "(a) The board of land and natural resources shall be  
21 composed of seven members, one from each land district and three  
22 at large, to be nominated and, by and with the advice and



1 consent of the senate, appointed by the governor as provided in  
2 section 26-34. The governor shall appoint members from a list  
3 of six candidates provided by the speaker of the house of  
4 representatives and the president of the senate for each vacancy  
5 on the board. The speaker of the house of representatives and  
6 the president of the senate shall each select three candidates  
7 to be placed on the list of candidates. The term and removal of  
8 a member of the board and the filling of a vacancy on the board  
9 shall also be as provided in section 26-34. [~~There shall be not~~  
10 ~~more than three members on the board from the same political~~  
11 ~~party. At least one member] All members of the board shall have  
12 a background in conservation and natural resources, as evidenced  
13 by:~~

- 14 (1) A college degree in a relevant field, including  
15 forestry, wildlife conservation, geology,  
16 environmental science, or marine biology; or
- 17 (2) Work history sufficient to demonstrate an appropriate  
18 level of knowledge in the subject of land and natural  
19 resources, including parks and recreation, public  
20 lands management, natural area reserves, aquatic  
21 resources, boating and recreation, forestry and



1 wildlife, water resources management, or conservation  
2 and resources."

3 SECTION 6. Section 199-1, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "**§199-1 Board of land and natural resources, powers and**  
6 **duties.** The board of land and natural resources shall establish  
7 within the department of land and natural resources a  
8 conservation and resources enforcement program relating to the  
9 enforcement of title 12, chapters 6D, 6E, and 6K, and rules  
10 adopted thereunder, and shall employ or appoint, and remove, the  
11 following persons, subject to chapter 76 and section 78-1, who  
12 shall be provided with suitable badges or insignia of office by  
13 the department of land and natural resources:

14 (1) An enforcement chief of the department of land and  
15 natural resources, who shall be the head of the  
16 conservation and resources enforcement program and  
17 shall have charge, direction, and control, subject to  
18 the direction and control of the board, of all matters  
19 relating to the enforcement of title 12, chapters 6D,  
20 6E, and 6K, and rules adopted thereunder and such  
21 other matters as the board may from time to time  
22 direct. The enforcement chief shall be an



1 administrator experienced in conservation and  
2 resources law enforcement and management; and  
3 (2) Personnel and enforcement officers of the conservation  
4 and resources enforcement program, including but not  
5 limited to enforcement officers on a voluntary basis  
6 and without pay.

7 The enforcement chief under section 199-1(1) shall report  
8 directly to the board."

9 SECTION 7. Section 502-1, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 **"REGISTRAR, DEPUTY**

12 **§502-1 Registrar; appointment; tenure; salary.** There  
13 shall be a bureau in the department of land and natural  
14 resources to be called the bureau of conveyances. A registrar  
15 of conveyances shall be appointed by the board of land and  
16 natural resources, under chapter 76, and shall be superintendent  
17 of the bureau. The registrar shall receive such salary as shall  
18 be provided by law. The registrar shall report directly to the  
19 board."

20 SECTION 8. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.

22 SECTION 9. This Act shall take effect upon its approval.



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INTRODUCED BY:

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**Report Title:**

Composition of Board of Land and Natural Resources (BLNR);  
powers of chairperson of BLNR

**Description:**

Changes the appointment process for members of the Board of Land and Natural Resources (BLNR). Limits the powers and duties that may be delegated to the chairperson of the BLNR.

