
A BILL FOR AN ACT

RELATING TO AQUATIC LIFE.

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

1 PART I.

2 SECTION 1. The purpose of this part is to require the
3 establishment of two marine life conservation districts for the
4 island of Maui.

5 SECTION 2. Chapter 190, Hawaii Revised Statutes, is
6 amended by adding two new sections to be appropriately
7 designated and to read as follows:

8 **"§190-A Conservation districts established; island of**
9 **Maui.** In addition to marine life conservation districts as
10 established by the department of land and natural resources
11 pursuant to section 190-2, including marine life conservation
12 districts on the island of Maui at Honolua-Mokuleia Bay and
13 Molokini Shoal, the department of land and natural resources
14 shall establish two additional marine life conservation
15 districts, each one extending three miles or less from the
16 shoreline, as defined in section 205A-1, of the island of Maui
17 into state marine waters.



1 SECTION 5. Section 26-38, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§26-38 Powers and duties of heads of departments.** Except
4 as otherwise provided by this chapter, every power and duty
5 conferred by law and required to be performed by any officer,
6 board, department, bureau, commission, administrative agency, or
7 instrumentality of the State existing immediately prior to
8 November 25, 1959, shall hereafter be exercised and performed by
9 the head of the respective department established by this
10 chapter, whether the head of the department be a single
11 executive, board, or commission.

12 Except as otherwise provided by this chapter, the head of a
13 department may assign any function vested in his department to
14 any subordinate officer or employee as he deems desirable.

15 With the approval of the governor, the head of a department
16 may establish or abolish within his department any division or
17 other administrative unit to achieve economy and efficiency and
18 in accord with sound administrative principles and practices and
19 procedures[-]; provided that the chairperson of the board of
20 land and natural resources shall not use this authority to
21 abolish or consolidate the division of aquatic resources
22 established under section 187A-4.



1 The head of each department may prescribe regulations for
2 the administration of his department, for the conduct of its
3 employees, for the performance of its business, and for the
4 custody, use and preservation of records, equipment, and other
5 property pertaining thereto; provided that the regulations shall
6 not be inconsistent with the requirements of chapters 76, 91,
7 and 92, or rules promulgated by the governor, or other laws of
8 the State."

9 SECTION 6. Section 187A-4, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "~~§187A-4 [Administrator. The board shall appoint an~~
12 ~~administrator]~~ **Division of aquatic resources; administrator.**

13 (a) There shall be a division of aquatic resources [who] under
14 the department. The division shall have charge, direction, and
15 control of all matters relating to aquatic resources management,
16 conservation, and development [activities] under this title, and
17 such other matters relating to aquatic resources as the board
18 may direct[-]; except that:

19 (1) The enforcement of laws and rules regulating aquatic
20 resources shall be the responsibility of the
21 conservation and resources enforcement program of



1 chapter 199 instead of the division, unless otherwise
2 directed by the board; and

3 (2) For the purpose of achieving efficiency, the board may
4 provide administrative services for the division of
5 aquatic resources by another division or unit of the
6 department.

7 (b) The division of aquatic resources shall not be placed
8 organizationally under any other division or unit of the
9 department, except the board and office of the chairperson.

10 The division shall not have primary responsibility for a
11 matter unrelated directly and substantially to aquatic resources
12 management, development, or conservation.

13 (c) The division shall be headed by an administrator, who
14 shall be trained and educated in natural resource management."

15 PART III.

16 SECTION 7. In codifying the new sections added by section
17 2 of this Act, the revisor of statutes shall substitute
18 appropriate section numbers for the letters used in designating
19 the new sections in this Act.

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 on July 1, 2050.



Report Title:

Maui Marine Life Conservation Districts; Division of Aquatic Resources

Description:

Establishes two new marine life conservation districts on the island of Maui in part I. Establishes statutorily the division of aquatic resources under the department of land and natural resources in part II. Effective 7/1/2050. (HD1 Proposed)

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