
A BILL FOR AN ACT

RELATING TO THE COMPOSITION OF THE BOARD OF LAND AND NATURAL
RESOURCES.

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

1 SECTION 1. Section 26-15, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

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

8 The board shall consist of seven members, one from each
9 land district and three at large. The appointment, tenure, and
10 removal of the members and the filling of vacancies on the board
11 shall be as provided in section 26-34. At least one member of
12 the board shall have a background in conservation and natural
13 resources, as provided in section 171-4. At least one member,
14 other than the member with a background in conservation and
15 natural resources, shall have demonstrated expertise in native
16 Hawaiian traditional and customary practices, as provided in
17 section 171-4, to ensure assistance to the board to better



1 administer the public lands and resources with respect to native
2 Hawaiian issues and concerns, the public land trust obligations,
3 and the recognition of native Hawaiian cultural values that are
4 intrinsically tied to the 'aina.

5 The governor shall appoint the chairperson of the board
6 from among the members thereof.

7 The board may delegate to the chairperson such duties,
8 powers, and authority, or so much thereof, as may be lawful or
9 proper for the performance of the functions vested in the board.

10 The chairperson of the board shall serve in a full-time
11 capacity. The chairperson, in that capacity, shall perform
12 those duties, and exercise those powers and authority, or so
13 much thereof, as may be delegated by the board."

14 SECTION 2. Section 171-4, Hawaii Revised Statutes, is
15 amended to read as follows:

16 **"§171-4 Board of land and natural resources; terms and**
17 **qualifications of members of the board; organization; expenses.**

18 (a) The board of land and natural resources shall be composed
19 of seven members, one from each land district and three at
20 large, to be nominated and, by and with the advice and consent
21 of the senate, appointed by the governor as provided in section
22 26-34. The term and removal of a member of the board and the



1 filling of a vacancy on the board shall also be as provided in
2 section 26-34. There shall be not more than three members on
3 the board from the same political party.

4 (b) At least one member of the board shall have a
5 background in conservation and natural resources, as evidenced
6 by:

- 7 (1) A college degree in a relevant field, including
8 forestry, wildlife conservation, geology,
9 environmental science, or marine biology; or
10 (2) Work history sufficient to demonstrate an appropriate
11 level of knowledge in the subject of land and natural
12 resources, including parks and recreation, public
13 lands management, natural area reserves, aquatic
14 resources, boating and recreation, forestry and
15 wildlife, water resources management, or conservation
16 and resources.

17 (c) At least one member of the board, other than the
18 member appointed pursuant to subsection (b), shall have
19 demonstrated expertise in native Hawaiian traditional and
20 customary practices, as evidenced by:

- 21 (1) A college degree in a relevant field, such as Hawaiian
22 studies, native Hawaiian law, native Hawaiian



1 traditional and customary practices, or related
2 subject area;

3 (2) Work history that demonstrates an appropriate level of
4 knowledge in native Hawaiian traditional and customary
5 practices; or

6 (3) Substantial experience as a native Hawaiian
7 traditional and customary practitioner.

8 [~~(b)~~] (d) Each member shall disclose and file with the
9 board a list of all transactions with the department of land and
10 natural resources in which the member has a direct interest.
11 The member shall also disclose all transactions with the
12 department involving any corporation, association, partnership,
13 or joint venture in which the member is an officer, partner, or
14 employee. Any member having any interest, direct or indirect,
15 in any matter before the board shall disqualify oneself from
16 voting on or participating in the discussion of the matter.

17 [~~(e)~~] (e) The governor shall select a chairperson of the
18 board from among its members. The chairperson shall call and
19 preside at meetings and may appoint a member of the board as
20 secretary. The members of the board shall choose one of their
21 number to act as chairperson during the absence or disability of
22 the chairperson.



1 [~~(d)~~] (f) The members of the board shall serve without pay
2 but shall be entitled to reimbursement for necessary expenses
3 while attending meetings and while in the discharge of their
4 duties."

5 SECTION 3. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 4. This Act shall take effect on July 1, 2014, and
8 shall apply to the board of land and natural resources upon its
9 next vacancy.



Report Title:

OHA Package; Board of Land and Natural Resources; Composition

Description:

Requires that at least one member of the board of land and natural resources, other than the member appointed for having a background in conservation and natural resources, have demonstrated expertise in native Hawaiian traditional and customary practices. (HB1618 CD1)

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