

JAN 23 2026

A BILL FOR AN ACT

RELATING TO WILDLIFE.

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

1 SECTION 1. The legislature finds that establishing a
2 wildlife sanctuary within a state park that holds a body of
3 freshwater will help conserve Hawaii's unique ecological
4 heritage and encourage community stewardship of the natural
5 environment.

6 The legislature further finds that stewardship of the
7 natural resources, land, wildlife, and ecosystems of the State
8 is imperative. The State's economic burden of environmental
9 protection inaction will far exceed the cost of proactive
10 investment in wildlife mitigation and adaptation strategies, and
11 the loss of biodiversity in the State simultaneously threatens
12 the State's economic stability and environmental vitality.

13 The legislature believes that meaningful steps must be
14 taken to strengthen the State's environmental resilience and
15 community prosperity; therefore, the State must invest in
16 environmental developments that prioritize sustainable land use
17 practices. Specifically, a dedicated nonprofit corporation to



1 establish and administer the wildlife sanctuary is critical to
2 the sanctuary's success.

3 Accordingly, the purpose of this Act is to establish a
4 wildlife sanctuary nonprofit for a recreation area that holds a
5 body of freshwater.

6 SECTION 2. Chapter 88, Hawaii Revised Statutes, is amended
7 by adding a new section to part II subpart B to be appropriately
8 designated and to read as follows:

9 "§88- Freshwater state recreation area wildlife
10 sanctuary employees. Any employee of the freshwater state
11 recreation area wildlife sanctuary corporation, a Hawaii
12 wildlife conservation nonprofit, shall be entitled to all
13 benefits and required to make all employee contributions under
14 the system for the period during which the employee remains in
15 the employ of the corporation and a member of the system, and
16 the corporation shall be responsible for the remittance of all
17 employer and employee contributions required to be made under
18 the system."

19 SECTION 3. There is established a conservation nonprofit
20 public corporation to be known as the "freshwater state
21 recreation area wildlife sanctuary corporation". The



1 corporation shall be devoted to the conservation purposes of
2 this Act. The corporation shall not be considered a department,
3 agency, or public instrumentality of the State, and shall not be
4 subject to the laws of the State applying to state departments,
5 agencies, or public instrumentalities, except that the
6 corporation shall be subject to all the laws of the State
7 pertaining to nonprofit corporations.

8 For the purposes of this Act, "corporation" means the
9 "freshwater state recreation area wildlife sanctuary
10 corporation".

11 SECTION 4. The purpose of the corporation shall be to:

- 12 (1) Establish a wildlife sanctuary within a recreation
13 area that holds a body of freshwater;
14 (2) Promote conservation within the recreation area that
15 holds a body of freshwater; and
16 (3) Provide grants and other payments to improve
17 conservation within the recreation area that holds a
18 body of freshwater.

19 SECTION 5. The corporation shall have the following powers
20 and duties and shall:

- 21 (1) Have succession and corporate existence in perpetuity;



1 (2) Adopt, amend, and repeal bylaws providing for its
2 organization and internal management and governing the
3 conduct of its business and the performance of the
4 powers and duties granted to or imposed upon it by law
5 consistent with this Act; provided that all meetings
6 for the adoption, amendment, and repeal of bylaws
7 shall be open to the public, and public notice of any
8 meeting, including an agenda of items to be discussed
9 at the meeting, shall be announced at least fourteen
10 days in advance and published at least twice in a
11 newspaper of general circulation in the State within
12 the fourteen days but at least seven days before the
13 meeting;

14 (3) Adopt and use a common seal;

15 (4) Acquire, sell, lease, rent, hold, maintain, use,
16 manage, and operate any property, real, personal, or
17 mixed, intangible or tangible, to the extent deemed
18 necessary or appropriate to carry out its purposes;

19 (5) Enter into and perform contracts, leases, cooperative
20 agreements, or other arrangements as may be necessary
21 to carry out the purposes of this Act;



- 1 (6) Determine the character of, and necessity for, its
2 obligations and expenditures, and the manner in which
3 the same shall be incurred, allowed, and paid;
- 4 (7) Seek, receive, and accept from public and private
5 sources whether located within or outside of the
6 United States, by grants, gifts, devices, bequests or
7 otherwise money and property, real, personal, or
8 mixed, intangible or tangible, absolutely or in trust,
9 to be used in carrying out the purposes of this Act;
- 10 (8) Serve as trustee and be named a beneficiary under the
11 terms of any gift, indenture or will;
- 12 (9) Appoint and discharge a chief executive officer,
13 subordinate officers, employees, and agents as the
14 business of the corporation requires, and to classify,
15 prescribe the duties and qualifications, and fix the
16 compensation and benefits of all officers, employees,
17 and agents of the corporation;
- 18 (10) Establish policies and procedures as may be necessary,
19 including a personnel system and budget system;
- 20 (11) Enter into employee collective bargaining agreements
21 in conformance with applicable laws;



(12) Establish and maintain, and to assist in establishing and maintaining, scholarships, fellowships, lectureships, chairs, and other staff positions, and to enter into contracts, agreements, and other arrangements with any person, firm, association, institution, corporation, or organization, whether private, governmental, or international and whether located within or outside of the United States, for this purpose, and to pay the necessary and appropriate costs and expenses therefor;

(13) Collect fees and other charges for programs, facilities, services, and educational products, and to hold copyright;

(14) Sue and be sued in its corporate name, except that the corporation shall be immune from any writ of attachment and execution against its assets;

(15) Delegate any of the powers of the corporation to any standing or special committee, board, or body, or to any officer or agent, upon such terms as it deems fit except for the powers granted under paragraph (2);



(16) Execute, in accordance with its bylaws, all contracts and other instruments necessary or appropriate for the exercise of its powers under this Act; and

(17) Do any and all things necessary or appropriate to carry out its purposes and exercise the powers given and granted in this Act.

SECTION 6. (a) The corporation shall have a board of governors which shall manage and control the affairs of the corporation and shall exercise all powers of the corporation, except to the extent that they have been delegated by this Act or pursuant to action by the board of governors. The board shall consist of eighteen members as follows:

(1) The governor, or their designee, who shall serve as an ex officio member of the board;

(2) The lieutenant governor, or their designee, who shall serve as an ex officio member;

(3) The chairperson of the board of land and natural resources, who shall serve as an ex officio, nonvoting member, and shall serve as the chairperson until the time that a chairperson is elected by the board from the membership;



(4) Five members, who are residents of the State, to be appointed by the governor;

(5) Five members, to be appointed by the lieutenant governor; and

(6) Five members to be elected by the members of the board.

(b) The term of each appointed or elected member of the board shall be three years, except for those members of the initial board who shall be appointed or elected, as the case may be, and serve terms as follows:

(1) The governor shall appoint two members for terms of one year, two members for terms of two years and one member for a term of three years;

(2) The lieutenant governor shall appoint two members for terms of one year, two members for terms of two years and one member for a term of three years; and

(3) Of the members elected to the board by the membership of the board, two members shall be elected for terms of one year, two members for terms of two years and one member for a term of three years.



(c) Each appointed or elected member, and each initial member appointed or elected for a particular term, of the board shall continue to serve until the successor to the member has been appointed or elected. The term of the initial members shall be computed from the date of the first meeting of the board. The term of each elected member other than the initial members shall be computed from the date of termination of the preceding term, or if there is no preceding term, then from the date of the first meeting of the board following the member's appointment or election. Any member appointed or elected to fill a vacancy occurring before the expiration of the term for which the member's predecessor was chosen shall serve for the remainder of the term. No appointed or elected member may serve more than three terms, except that those initial members appointed to a term of less than three years may be appointed or elected to serve for not more than three subsequent terms.

(d) In connection with all appointments or elections to the board, due consideration shall be given to the selection of distinguished individuals who represent a cross-section of educational, cultural, business, labor, and public service



1 backgrounds, possess knowledge of, experience in, or profound
2 interest in wildlife conservation.

3 (e) The board shall meet at least twice a year and at a
4 time as the board deems necessary. Public notice of a board
5 meeting, including an agenda of items to be discussed at the
6 meeting, shall be given at least fourteen days in advance. The
7 notice shall be mailed to all persons who have made a timely
8 request of the board for advance notice of its meeting and shall
9 be published at least twice in a newspaper of general
10 circulation in the State.

11 SECTION 7. (a) The board shall appoint a chief executive
12 officer of the corporation, who shall serve at the pleasure of
13 the board and shall be designated by an appropriate title, to
14 administer the freshwater state recreation area wildlife
15 sanctuary corporation.

16 (b) The chief executive officer, subject to approval by
17 the board, shall appoint and remove subordinate officers and
18 other employees and duly authorized representatives of the
19 corporation as the chief executive officer determines, in
20 consultation with the board, to be necessary to carry out the
21 purposes of the corporation; provided that the board shall have



1 the right to delegate to the chief executive officer or to
2 committees or otherwise the right to appoint any subordinate
3 officers, employees, and duly authorized representatives without
4 approval of the board.

5 (c) The chief executive officer, employees, and duly
6 authorized representatives of the corporation shall be
7 compensated at rates determined by the board.

8 (d) The chief executive officer, or their designee, shall
9 be available for monthly meetings with participants on matters
10 of mutual interests.

11 (e) All employees of the corporation shall have full
12 rights under all applicable laws to self-organization, to form,
13 join, or assist labor organizations to bargain collectively
14 through representatives of their own choosing, and to engage in
15 other concerted activities for the purpose of collective
16 bargaining or other mutual aid or protection and shall have the
17 right to refrain from any or all activities except to the extent
18 that the right may be affected by an agreement requiring
19 membership in a labor organization as a condition of employment
20 as may be permitted under all applicable laws.



1 (f) Except as otherwise specifically provided in this Act,
2 the chief executive officer, any subordinate officers, and other
3 employees and duly authorized representatives of the corporation
4 shall not be considered officers or employees of the State for
5 the purposes of any state law, regulation, or executive order.

6 SECTION 8. The corporation shall neither conduct nor
7 support any classified activity or research and it shall make
8 the results of its activities and research available to the
9 public.

10 SECTION 9. (a) The corporation shall have no power to
11 issue any shares of stock, or to declare or pay any dividends.

12 (b) No part of the income or assets of the corporation
13 shall inure to the benefit of any member of the board, the chief
14 executive officer, any employee, or any individual, except as
15 reasonable compensation for services or reimbursement for
16 expenses.

17 (c) The corporation shall not undertake to influence the
18 policy and passage or defeat of any legislation by the United
19 States Congress or by any state or local legislative bodies or
20 by any legislative body of any other nation, except that members
21 of the board and personnel of the corporation may testify or



1 make other appropriate communications where formally requested
2 to do so by a legislative body or a committee or a member
3 thereof, or in connection with legislation or appropriations
4 directly affecting the freshwater recreation area wildlife
5 sanctuary.

6 (d) The corporation shall not contribute to, participate,
7 or intervene in, or otherwise support or assist any political
8 party or association, or the campaign of any candidate for
9 public or party office.

10 SECTION 10. (a) The corporation shall keep accurate and
11 complete books of account and minutes of the proceedings of the
12 board and of any committees, boards, or bodies where the board
13 has delegated any of its powers.

14 (b) The corporation shall publish an annual report which
15 shall be filed by the corporation with the governor, lieutenant
16 governor, legislature, chairperson of the board of land and
17 natural resources, and director of regulatory agencies who shall
18 maintain a copy for public inspection during regular office
19 hours.

20 SECTION 11. In the event of the dissolution or liquidation
21 of the corporation, all assets remaining after satisfaction of,

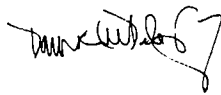


1 or provision for satisfaction of, all obligations, debts, and
2 liabilities of the corporation shall be distributed to a
3 nonprofit fund, foundation, or corporation which is organized
4 and operated exclusively for wildlife conservation purposes and
5 which has established its tax-exempt status under section
6 501(c)(3) of the Internal Revenue Code of 1986, as amended, or
7 to the United States, or to the State.

8 SECTION 12. If any provision of this Act, or the
9 application thereof to any person or circumstance, is held
10 invalid, the invalidity does not affect other provisions or
11 applications of the Act that can be given effect without the
12 invalid provision or application, and to this end the provisions
13 of this Act are severable.

14 SECTION 13. New statutory material is underscored.

15 SECTION 14. This Act shall take effect on July 1, 2026.

16
INTRODUCED BY:  _____



S.B. NO. 2606

Report Title:

Freshwater State Recreation Area Wildlife Sanctuary; Wildlife Conservation; Nonprofit Corporation

Description:

Establishes the Freshwater State Recreation Area Wildlife Sanctuary Corporation.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

