THE SENATE
THIRTY-THIRD LEGISLATURE, 2026
STATE OF HAWAII

S.B. NO. 3253 S.D. 1

A BILL FOR AN ACT

RELATING TO CONSERVATION.

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

SECTION 1. The legislature finds that numerous species in the State are on the brink of extinction, in particular many indigenous birds found nowhere else in the world. While the State has made progress in addressing the myriad causes contributing to extinction, the legislature finds that existing efforts must be supplemented to prevent further loss of biodiversity.

The legislature recognizes that Zealandia (Te Mara a Tane) is a pioneering conservation sanctuary in Wellington, New Zealand, best known for proving how dramatically nature can rebound with proper protection. Built as a fully fenced, predator-excluded sanctuary, Zealandia creates a safe haven where native birds, reptiles, and plants thrive and recover in near-natural habitats, safe from invasive predators and vectors. This model has not only enabled the reintroduction and rapid growth of iconic native species that were once on the brink of

extinction, but it has also transformed the valley into a living example of ecosystem restoration in a modern city.

Just as importantly, Zealandia's impact extends beyond its fence line: thriving populations disperse outward into surrounding neighborhoods and green spaces, helping native wildlife return to the wider region. Zealandia also facilitates community engagement by welcoming volunteers, residents, researchers, and visitors, and serving as a hub for school programs and hands-on learning. Its success in engaging community and visitors has helped Zealandia become largely self-funded through admissions, memberships, tours, and experiences that reinvest directly into conservation.

The legislature also recognizes that successful sanctuary models in the United States generate substantial revenue for conservation efforts. They serve as educational centers for local schools, destinations for visitors, and provide critical habitat for endangered and other species. The State's climate and environment provide more diverse habitats for wildlife than found elsewhere in the continental United States. With appropriate considerations and protections to ensure no adverse impact on the state environment, the State can improve the

living conditions of rescued animals from other states and generate significant revenue for state conservation efforts.

The legislature believes that the State is uniquely positioned to become a national center for endangered species research, education, and protection. Establishing sanctuaries in the State like those that have proven successful elsewhere can advance the State's position as the premier place for endangered species work and conservation and create pathways for local education, jobs, investment, and research.

The legislature also believes that successful nonprofit models for the establishment and operation of endangered species sanctuaries are preferable to a government-run program. The nonprofit models provide more flexibility and adaptability for management, operations, innovation, and community engagement.

Accordingly, the purpose of this Act is to establish a nonprofit entity to collaborate with the State to create and manage endangered species sanctuaries.

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

"§88- **Hawaii conservation sanctuary employees.** Any employee of the Hawaii conservation sanctuary established pursuant to Act , Session Laws of Hawaii 2026, shall be entitled to all benefits and required to make all employee contributions under the system for the period during which the employee remains in the employ of the corporation and a member of the system, and the corporation shall be responsible for the remittance of all employer and employee contributions required to be made under the system."

SECTION 3. There is established a conservation nonprofit public corporation to be known as the Hawaii conservation sanctuary. The corporation shall be devoted to the conservation purposes of this Act. The corporation shall not be considered a department, agency, or public instrumentality of the State, and shall not be subject to the laws of the State applying to state departments, agencies, or public instrumentalities, except that the corporation shall be subject to all the laws of the State pertaining to nonprofit corporations.

As used in this Act, "corporation" means the "Hawaii conservation sanctuary".

SECTION 4. The purpose of the corporation shall be to protect and expand populations of endangered species and other wildlife from within and outside the State by developing and operating at least three conservation sanctuaries in the State as follows:

(1) One around a recreational body of water;

(2) One in an area appropriate for the protection of native birds; and

(3) One in an area appropriate for the protection of larger species of wildlife.

SECTION 5. (a) The corporation shall have the following powers and duties and shall:

(1) Have succession and corporate existence in perpetuity;

(2) Adopt, amend, and repeal bylaws providing for its organization and internal management and governing the conduct of its business and the performance of the powers and duties granted to or imposed upon it by law consistent with this Act; provided that all meetings for the adoption, amendment, and repeal of bylaws shall be open to the public, and public notice of any meeting, including an agenda of items to be discussed

at the meeting, shall be announced at least fourteen days in advance and published at least twice in a newspaper of general circulation in the State within the fourteen days but at least seven days before the meeting;

(3) Adopt and use a common seal;

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

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

(6) Determine the character of, and necessity for, its obligations and expenditures, and the manner in which obligations and expenditures shall be incurred, allowed, and paid;

(7) Seek, receive, and accept from public and private sources located within or outside of the United States, by grants, gifts, devices, bequests, or otherwise money and property, real, personal, or

mixed, intangible or tangible, absolutely or in trust, to be used in carrying out the purposes of this Act;

(8) Serve as trustee and be named a beneficiary under the terms of any gift, indenture, or will;

(9) Appoint and discharge a chief executive officer, subordinate officers, employees, and agents as the business of the corporation requires, and to classify, prescribe the duties and qualifications, and fix the compensation and benefits of all officers, employees, and agents of the corporation;

(10) Establish policies and procedures as may be necessary, including a personnel system and budget system;

(11) Enter into employee collective bargaining agreements 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 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; provided 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 terms that 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.

(b) The corporation may partner or otherwise collaborate with the department of land and natural resources 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 that 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 backgrounds, possess knowledge of, experience in, or profound interest in wildlife conservation.

(e) The board shall meet at least twice a year and at a time that the board deems necessary. Public notice of a board meeting, including an agenda of items to be discussed at the meeting, shall be given at least fourteen days in advance. The

notice shall be mailed to all persons who have made a timely request of the board for advance notice of its meeting and shall be published at least twice in a newspaper of general circulation in the State.

SECTION 7. (a) The board shall appoint a chief executive officer of the corporation, who shall serve at the pleasure of the board and shall be designated by an appropriate title, to administer the corporation.

(b) The chief executive officer, subject to approval by the board, shall appoint and remove subordinate officers and other employees and duly authorized representatives of the corporation as the chief executive officer determines, in consultation with the board, to be necessary to carry out the purposes of the corporation; provided that the board shall have the right to delegate to the chief executive officer or to committees or otherwise the right to appoint any subordinate officers, employees, and duly authorized representatives without approval of the board.

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

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

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

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

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

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

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

(c) The corporation shall not undertake to influence the policy and passage or defeat of any legislation by the United States Congress or by any state or local legislative bodies or by any legislative body of any other nation; provided that members of the board and personnel of the corporation may testify or make other appropriate communications where formally requested to do so by a legislative body, a committee, or a member thereof, or in connection with legislation or appropriations directly affecting a conservation sanctuary operated by the corporation.

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

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

(b) The corporation shall publish an annual report which shall be filed by the corporation with the governor, lieutenant governor, legislature, chairperson of the board of land and natural resources, and director of commerce and consumer affairs who shall maintain a copy for public inspection during regular office hours.

SECTION 11. In the event of the dissolution or liquidation of the corporation, all assets remaining after satisfaction of, or provision for satisfaction of, all obligations, debts, and liabilities of the corporation shall be distributed to a nonprofit fund, foundation, or corporation that is organized and operated exclusively for wildlife conservation purposes and which has established its tax-exempt status under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; to the United States; or to the State.

SECTION 12. If any provision of this Act, or the application thereof to any person or circumstance, is held

invalid, the invalidity does not affect other provisions or applications of the Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 13. New statutory material is underscored.

SECTION 14. This Act shall take effect on July 1, 2050.

S.B. NO. 3253 S.D. 1

Report Title:
DLNR; Hawaii Conservation Sanctuary Corporation; Endangered Species; Wildlife; Conservation; Board of Governors; Executive Director; Rules; Report; Limitations

Description:
Establishes the Hawaii Conservation Sanctuary Corporation to protect and expand the populations of endangered species and other wildlife, native or nonnative, by establishing sanctuaries in the State. Establishes powers and duties of the Corporation. Authorizes the Corporation to partner or otherwise collaborate with the Department of Land and Natural Resources. Establishes rules for the Corporation's Board of Governors, Executive Director, and business practices. Requires an annual report to the Governor, Lieutenant Governor, Legislature, Chairperson of the Board of Land and Natural Resources, and Director of Commerce and Consumer Affairs. Effective 7/1/2050. (SD1)

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