
A BILL FOR AN ACT

RELATING TO CONSERVATION.

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

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

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



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

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

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



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

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

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

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

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



1 "§88- Hawaii conservation sanctuary employees. Any
2 employee of the Hawaii conservation sanctuary established
3 pursuant to Act _____, Session Laws of Hawaii 2026, shall be
4 entitled to all benefits and required to make all employee
5 contributions under the system for the period during which the
6 employee remains in the employ of the corporation and a member
7 of the system, and the corporation shall be responsible for the
8 remittance of all employer and employee contributions required
9 to be made under the system."

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

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



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

- 6 (1) One around a recreational body of water;
- 7 (2) One in an area appropriate for the protection of
8 native birds; and
- 9 (3) One in an area appropriate for the protection of
10 larger species of wildlife.

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

- 13 (1) Have succession and corporate existence in perpetuity;
- 14 (2) Adopt, amend, and repeal bylaws providing for its
15 organization and internal management and governing the
16 conduct of its business and the performance of the
17 powers and duties granted to or imposed upon it by law
18 consistent with this Act; provided that all meetings
19 for the adoption, amendment, and repeal of bylaws
20 shall be open to the public, and public notice of any
21 meeting, including an agenda of items to be discussed



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

6 (3) Adopt and use a common seal;

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

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

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

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



- 1 mixed, intangible or tangible, absolutely or in trust,
2 to be used in carrying out the purposes of this Act;
- 3 (8) Serve as trustee and be named a beneficiary under the
4 terms of any gift, indenture, or will;
- 5 (9) Appoint and discharge a chief executive officer,
6 subordinate officers, employees, and agents as the
7 business of the corporation requires, and to classify,
8 prescribe the duties and qualifications, and fix the
9 compensation and benefits of all officers, employees,
10 and agents of the corporation;
- 11 (10) Establish policies and procedures as may be necessary,
12 including a personnel system and budget system;
- 13 (11) Enter into employee collective bargaining agreements
14 in conformance with applicable laws;
- 15 (12) Establish and maintain, and to assist in establishing
16 and maintaining, scholarships, fellowships,
17 lectureships, chairs, and other staff positions, and
18 to enter into contracts, agreements, and other
19 arrangements with any person, firm, association,
20 institution, corporation, or organization, whether
21 private, governmental, or international and located



1 within or outside of the United States, for this
2 purpose, and to pay the necessary and appropriate
3 costs and expenses therefor;

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

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

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

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

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

20 (b) The corporation may partner or otherwise collaborate
21 with the department of land and natural resources to carry out



1 its purposes and exercise the powers given and granted in this
2 Act.

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

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

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

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

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

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



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

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

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

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

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

17 (c) Each appointed or elected member, and each initial
18 member appointed or elected for a particular term, of the board
19 shall continue to serve until the successor to the member has
20 been appointed or elected. The term of the initial members
21 shall be computed from the date of the first meeting of the



1 board. The term of each elected member other than the initial
2 members shall be computed from the date of termination of the
3 preceding term, or if there is no preceding term, then from the
4 date of the first meeting of the board following the member's
5 appointment or election. Any member appointed or elected to
6 fill a vacancy occurring before the expiration of the term for
7 which the member's predecessor was chosen shall serve for the
8 remainder of the term. No appointed or elected member may serve
9 more than three terms, except that those initial members
10 appointed to a term of less than three years may be appointed or
11 elected to serve for not more than three subsequent terms.

12 (d) In connection with all appointments or elections to
13 the board, due consideration shall be given to the selection of
14 distinguished individuals who represent a cross-section of
15 educational, cultural, business, labor, and public service
16 backgrounds, possess knowledge of, experience in, or profound
17 interest in wildlife conservation.

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



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

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

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

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



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

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

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

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



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

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

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

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



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

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

11 SECTION 11. In the event of the dissolution or liquidation
12 of the corporation, all assets remaining after satisfaction of,
13 or provision for satisfaction of, all obligations, debts, and
14 liabilities of the corporation shall be distributed to a
15 nonprofit fund, foundation, or corporation that is organized and
16 operated exclusively for wildlife conservation purposes and
17 which has established its tax-exempt status under section
18 501(c)(3) of the Internal Revenue Code of 1986, as amended; to
19 the United States; or to the State.

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



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

5 SECTION 13. New statutory material is underscored.

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



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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