

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

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HONOLULU, HAWAII 96809

**CARTY S. CHANG**  
ACTING CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

FIRST DEPUTY

**WILLIAM M. TAM**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES BOATING  
AND OCEAN RECREATION BUREAU  
OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

January 23, 2015

Chairperson and Members  
Board of Land and Natural Resources  
State of Hawaii'i  
Honolulu, Hawaii'i

**SUBJECT: REQUEST FOR DELEGATION OF AUTHORITY TO THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES, TO TRACK LEGISLATIVE MEASURES, TO PREPARE AND PRESENT LEGISLATIVE TESTIMONY ON BEHALF OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND TO ALLOW THE CHAIRPERSON TO FURTHER DELEGATE SUCH AUTHORITY TO STAFF.**

**PURPOSE:**

The Department of Land and Natural Resources ("Department") requests that the Chairperson of the Board of Land and Natural Resources ("Board") be granted authority to track legislative measures, to prepare and present legislative testimony on behalf of the Board and Department, and that the Chairperson be allowed to further delegate such authority to staff. This will formalize the existing practice of the Department and ensure compliance with the State Sunshine Law (Chapter 92, Hawaii Revised Statutes).

**LEGAL REFERENCE:**

Sections 26-15 and 171-6 (8), Hawaii Revised Statutes

**BACKGROUND:**

Under the Sunshine Law, this Board is required to provide six-day notice of a meeting prior to convening. In addition, this Board's meetings are regularly scheduled only two times a month. For boards, like this one, that prepare and present testimony on legislative issues and measures, the crux of the problem is that the timing of legislative notices and hearings do not accommodate the Board's requirement to meet Sunshine Law's six-day notice requirement or the Board's regular meeting schedule.

**ITEM M-1**

It has been the practice of the Department to have the Chairperson and the Deputies oversee all legislative matters on behalf of the Board, and to take positions which match the Department's broad policy objectives of protecting and preserving the natural resources of the State of Hawaii for the benefit of its residents. The Office of Informational Practices however has suggested that a board formally delegate its authority for legislative tracking and preparation and presentation of legislative testimony as a way to comply with the Sunshine Law.

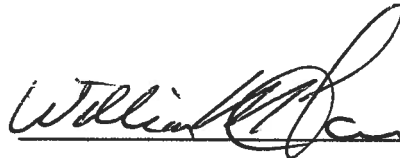
The Department requests that the Board delegate the authority to the Chairperson to track, prepare and present legislative testimony on behalf of the Department. Further, because there are more legislative hearings and measures than can be handled by one person, that the Chairperson is allowed to further delegate this authority to staff. The Board's delegation of authority will formalize the existing practice.

RECOMMENDATIONS:

That the Board of Land and Natural Resources:

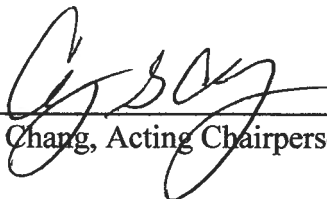
1. Delegate to the Chairperson the authority to track legislative measures and to prepare and present legislative testimony on behalf of the Department and;
2. Allow the Chairperson to further delegate such authority to staff.

Respectfully submitted,



William M. Tam  
Water Deputy

APPROVED FOR SUBMITTAL:



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Carty Chang, Acting Chairperson