
A BILL FOR AN ACT

RELATING TO HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES.

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

1 SECTION 1. (a) The department of land and natural
2 resources shall develop and implement as a pilot project, a
3 Hawaiian traditional and customary gathering practices program
4 in Waianae on the island of Oahu.

5 (b) For the purposes of the Hawaiian traditional and
6 customary gathering practices program under this Act, the
7 department of land and natural resources shall:

8 (1) Designate areas within state public parks in Waianae
9 where persons may, in accordance with Hawaiian
10 traditional and customary gathering practices, harvest
11 items from plants or trees. In designating areas
12 under this paragraph, the department shall strive to
13 provide an equal distribution of plants and trees that
14 are and are not made available for harvesting;

15 (2) Cordon the perimeter boundaries of areas designated
16 under paragraph (1) and post signs warning that the
17 enclosed area is designated for Hawaiian traditional
18 and customary gathering practices, and that items



1 growing on plants and trees within the area have not
2 been removed for maintenance purposes and may be
3 removed only in accordance with paragraph (3);

4 (3) Require that items growing on plants and trees in
5 areas designated under paragraph (1) may be removed
6 only by persons gathering items in accordance with
7 Hawaiian traditional and customary gathering
8 practices;

9 (4) Provide that the activities under paragraph (3) may be
10 conducted without a special permit or other form of
11 permission;

12 (5) Require persons to indemnify the State from any claim
13 arising from any injury incurred while engaging in
14 activities under paragraph (3); and

15 (6) Establish height limits for trees from which persons
16 may harvest items, and arrange for trees that surpass
17 height limits to be relocated to other areas in the
18 public park where items growing on trees may be
19 removed for maintenance purposes.

20 SECTION 2. The department of land and natural resources
21 shall submit a report to the legislature, including findings,
22 recommendations, and implementing draft legislation, on the



1 Hawaiian traditional and customary gathering practices program
 2 and the feasibility of operating the program in all public parks
 3 statewide, no later than twenty days prior to the convening of
 4 the regular session of 2009.

5 SECTION 3. There is appropriated out of the general
 6 revenues of the State of Hawaii the sum of \$ or so much
 7 thereof as may be necessary for fiscal year 2006-2007 to
 8 establish and implement the pilot Hawaiian traditional and
 9 customary gathering practices program under this Act.

10 The sum appropriated shall be expended by the department of
 11 land and natural resources for the purposes of this Act.

12 SECTION 4. This Act shall take effect on July 1, 2006.

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INTRODUCED BY:

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JAN 25 2006



HB 2930

Report Title:

Hawaiian Gathering Practices; Public Parks; Pilot Project

Description:

Establishes a pilot project in Waianae to designate areas in public parks for using plants and trees for Hawaiian traditional and customary gathering practices. Appropriates funds for the pilot project.

