

PROPOSED

THE SENATE  
TWENTY-THIRD LEGISLATURE, 2006  
STATE OF HAWAII

S.B. NO. 917  
S.D. 2

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## A BILL FOR AN ACT

RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT.

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

1           SECTION 1. The purpose of this Act is to ensure native  
2 Hawaiian representation on the commission on water resource  
3 management. The people of the State of Hawai'i acknowledged an  
4 obligation to the indigenous people of Hawai'i by ratifying the  
5 1978 constitutional amendment which compelled the creation of  
6 the office of Hawaiian affairs. Subsequently, Act 196, Session  
7 Laws of Hawaii 1979, formally created the office of Hawaiian  
8 affairs. In establishing the office of Hawaiian affairs, the  
9 legislature specified six purposes of the office. One of the  
10 purposes empowered the office to:

11           "Serv[e] as the principal public agency in this State  
12 responsible for the performance, development, and  
13 coordination of programs and activities relating to  
14 native Hawaiians and Hawaiians . . .". (section  
15 10-3(3), Hawaii Revised Statutes)

16           The legislature also directed in section 10-13.5, Hawaii  
17 Revised Statutes, that: "Twenty per cent of all funds derived  
18 from the public land trust . . . shall be expended by the



1 office" for the betterment of the conditions of native  
2 Hawaiians.

3       The public land trust makes up more than ninety-four per  
4 cent of all state lands. The sound and prudent management of  
5 all state lands and coastal resources is of critical importance  
6 to native Hawaiians both as a revenue source for their  
7 self-determination and for the preservation of their cultural  
8 and religious practices. The State's decisions concerning water  
9 use directly affect native Hawaiians. The office of Hawaiian  
10 affairs, as the agency charged with the betterment of native  
11 Hawaiians, needs to contribute to the State's stewardship over  
12 these resources. Such a role furthers the original legislative  
13 intent mandated in 1979 through section 10-3, Hawaii Revised  
14 Statutes.

15       This Act provides for the office of Hawaiian affairs to  
16 appoint one member of the nominating committee.

17       SECTION 2. Section 174C-7, Hawaii Revised Statutes, is  
18 amended by amending subsection (d) to read as follows:

19       "(d) In appointing a member to the commission, the  
20 governor shall select from a list submitted by a nominating  
21 committee. The nominating committee shall be composed of four  
22 individuals chosen as follows: two persons appointed by the



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**Report Title:**

DLNR; OHA

**Description:**

Amends the nominating committee for the water resource management commission by removing one committee member that is appointed by the governor and adding one committee member that shall be appointed by the office of Hawaiian affairs. (SD2)

