
SENATE CONCURRENT RESOLUTION

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4 REQUESTING THE GOVERNOR PROCLAIM THE SECOND SATURDAY IN OCTOBER
5 AS "E HO'OLA I NA ALA HELE DAY" -- "TO GIVE LIFE TO THE TRAILS DAY".

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7 WHEREAS, prior to 1778, the Native Hawaiian people lived in a highly organized, self-
8 sufficient, social system based on subsistence agriculture and communal land tenure with a
9 sophisticated language, culture, and religion; and

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11 WHEREAS, Native Hawaiian ahupua'a tenants needed access to the mountains and sea
12 along shorelines in order to fish, gather, cultivate crops, and to communicate with neighboring
13 ahupua'a tenants, and relied on an elaborate trail system for this purpose, and as a vital means to
14 sustain and link the Native Hawaiian communities; and

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16 WHEREAS, these trails throughout the ahupua'a played an important role in the
17 perpetuation and practice of the Hawaiian culture and lifestyle; and

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19 WHEREAS, trails ran laterally along the shoreline (literally, *ala kahakai*) around the
20 island of Hawaii, and the "mauka" -- "makai" trails ran between the uplands and the sea; and

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22 WHEREAS, O'ahu ruler, Kuali'i, during the 16th century declared that old men and
23 women, and children who slept along the trails would be safe; and

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25 WHEREAS, on or about 1785, the "Mamalahoe Law", otherwise known as the "Law of
26 the Splintered Paddle", was adopted by King Kamehameha I, the first King of Hawaii, which law
27 assured the safety and protection of all individuals using the trails; and

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29 WHEREAS, a unified monarchical government of the Hawaiian Islands was established
30 in 1810 under Kamehameha I; and

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32 WHEREAS, on October 15, 1892, the Kingdom of Hawaii passed the Highway Act of
33 1892, codified under chapter 264, Hawaii Revised Statutes, as amended, establishing the
34 people's right to use these trails for commerce and enjoyment; and

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36 WHEREAS, article XII, section 7 of the Hawaii Constitution, chapter 7, Hawaii Revised
37 Statutes, as amended, and *Public Access Shoreline Hawaii v. Hawaii County Planning*
38 *Commission*, 79 Hawaii 246 (1991) (commonly referred to as the "PASH" decision), affirmed
39 and upheld the right of Native Hawaiians and the people to use these trails; and
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