
SENATE CONCURRENT RESOLUTION

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

1 WHEREAS, prior to 1778, the native Hawaiian people lived in
2 a highly organized, self-sufficient, social system based on
3 subsistence agriculture and communal land tenure with a
4 sophisticated language, culture, and religion; and
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6 WHEREAS, native Hawaiian ahupua`a tenants needed access to
7 the mountains and sea along shorelines in order to fish, gather,
8 cultivate crops, and to communicate with neighboring ahupua`a
9 tenants, and relied on an elaborate trail system for this
10 purpose, and as a vital means to sustain and link the Native
11 Hawaiian communities; and
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13 WHEREAS, these trails throughout the ahupua`a played an
14 important role in the perpetuation and practice of the Hawaiian
15 culture and lifestyle; and
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17 WHEREAS, trails ran laterally along the shoreline
18 (literally, ala kahakai) around the island of Hawai`i, and the
19 mauka-makai trails ran between the uplands and the sea; and
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21 WHEREAS, during the 16th century, O`ahu ruler, Kualii`i,
22 declared that old men, women, and children who slept along the
23 trails would be safe; and
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25 WHEREAS, on or about 1785, the "Mamalahoe Law", otherwise
26 known as the "Law of the Splintered Paddle," was adopted by King
27 Kamehameha I, the first King of Hawai`i, which assured the
28 safety and protection of all individuals using the trails; and
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30 WHEREAS, in 1810 under Kamehameha I, a unified monarchical
31 government of the Hawaiian Islands was established; and
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1 WHEREAS, on October 15, 1892, the Kingdom of Hawai`i passed
2 the Highway Act of 1892, codified under chapter 264, Hawai`i
3 Revised Statutes, establishing the people's right to use these
4 trails for commerce and enjoyment; and
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6 WHEREAS, article XII, section 7 of the Hawai`i State
7 Constitution; chapter 7 of the Hawaii Revised Statutes; and
8 Public Access Shoreline Hawaii v. Hawaii County Planning
9 Commission, 79 Hawai`i 246 (1991) (commonly referred to as the
10 PASH decision), affirmed and upheld the right of Native
11 Hawaiians and the people of this State to use undeveloped land,
12 which may include certain ancient and historic trails, to
13 exercise traditional and cultural practices; and
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15 WHEREAS, chapter 198D, Hawaii Revised Statutes (1988), was
16 adopted to establish a state-wide trail and access system known
17 as "Nā Ala Hele"; and
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19 WHEREAS, in 1979, E Mau Nā Ala Hele, a non-profit community
20 advocacy group, was established to preserve the Hawaiian trail
21 systems, and to this day remains actively involved with the
22 maintenance and perpetuation of the Ala Kahakai Trail; and
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24 WHEREAS, on January 24, 2000, the United States Congress
25 designated the Ala Kahakai Trail as a National Historic Trail,
26 and on November 13, 2000, the Ala Kahakai Trail was officially
27 incorporated into the National Trails System Act as Public Law
28 106-509; and
29

30 WHEREAS, these historic acts help to ensure that native
31 Hawaiians and all people of the State of Hawai`i will continue
32 to have the right to use these public trails for access,
33 enjoyment, recreation, commerce, and gathering purposes, in
34 accordance with applicable state and federal laws; and
35

36 WHEREAS, these historic and vital trails, and the necessary
37 and important rights for their appropriate use and enjoyment,
38 should be recognized and commemorated statewide in perpetuity to
39 further ensure that native Hawaiians and all people of the State
40 of Hawai`i have and hold the right to use these public trails
41 for access, enjoyment, recreation, commerce, and gathering
42 purposes, in accordance with applicable state and federal laws;
43 now, therefore,
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1 BE IT RESOLVED by the Senate of the Twenty-Third
2 Legislature of the State of Hawai`i, Regular Session of 2006,
3 the House of Representatives concurring, that the Governor of
4 the State of Hawai`i is respectfully requested to recognize and
5 proclaim the second Saturday of October as the day to
6 commemorate the Highway Act of 1892 by designating this day as
7 "E Ho`ola I Nā Ala Hele Day" -- "To Give Life to the Trails
8 Day"; and
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10 BE IT FURTHER RESOLVED that certified copies of this
11 Resolution be transmitted to the Governor of the State of
12 Hawai`i, Hawai`i's Congressional Delegation, and the Mayors and
13 legislative councils of the counties of Hawai`i, Honolulu,
14 Kauai, and Maui.

