

Honolulu, Hawaii

April 27, 2007

RE: S.B. No. 1853
S.D. 2
H.D. 2
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1853, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to preserve and sustain Native Hawaiian indigenous resources management practices by creating an 'Aha Moku Council System that will provide advisory assistance to the Department of Land and Natural Resources on all matters regarding the management of the State's natural resources.

Specifically, this measure adds a new chapter to title 12, Hawaii Revised Statutes, that:

- (1) Establishes an 'Aha Moku Commission to assist in the formation of regional 'Aha Moku Councils, which will serve



in an advisory capacity on all matters regarding the management of the State's natural resources; and

- (2) Requires the Department of Land and Natural Resources to seek advisory assistance from the 'Aha Moku Councils in developing a comprehensive set of best practices for natural resources management.

Your Committee on Conference finds that developing an 'Aha Moku Council System that incorporates and represents all thirty-seven moku statewide will enable the development of a comprehensive set of best practices for natural resources management, which will reflect and sustain traditional Native Hawaiian practices. Your Committee on Conference emphasizes that the formation of an 'Aha Moku Council System will be an inclusive process and not limited to participation from Native Hawaiians.

Your Committee on Conference has amended this measure:

- (1) Deleting the new chapter added to title 12, Hawaii Revised Statutes, and replacing it with language that creates an 'Aha Kiolo Advisory Committee to:
 - (A) Explore, examine, and derive best practice models for the creation of an 'Aha Moku Council System and 'Aha Moku Council Commission;
 - (B) Explore best practice models to establish an administrative structure, including member criteria and selection, for the creation of an 'Aha Moku Council Commission to oversee an 'Aha Moku Council System;
 - (C) Establish goals and objectives for an 'Aha Moku Council Commission and 'Aha Moku Councils to accomplish, including benchmarks for long-term planning;
 - (D) Establish a feasible operational budget for an 'Aha Moku Council Commission; and
 - (E) Submit written reports of its findings and recommendations, including any legislation, to the Legislature prior to the convening of the 2008 and 2009 Regular Sessions;



- (2) Deleting the blank appropriation amount and replacing it with an appropriation of \$110,000 for each year of the 2007-2009 fiscal biennium for the administrative costs of the 'Aha Kiole Advisory Committee and for allowing each of the thirty-seven moku statewide to participate in the discussion on the creation of an 'Aha Moku Council System;
- (3) Changing the effective date of this measure from July 1, 2020, to effective upon approval and changing the effective date of the appropriation from July 1, 2020, to July 1, 2007; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1853, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1853, S.D. 2, H.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

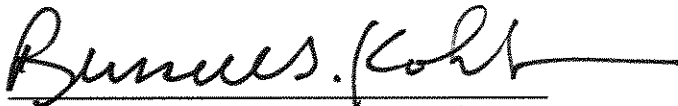


KEN ITO, Co-Chair

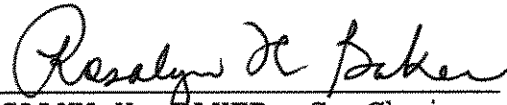


MELE CARROLL, Co-Chair

ON THE PART OF THE SENATE



RUSSELL S. KOKUBUN, Chair



ROSALYN H. BAKER, Co-Chair



