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# A BILL FOR AN ACT

RELATING TO NATIVE HAWAIIANS.

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

1           SECTION 1. The legislature finds that, over the past two  
2 hundred years, Hawaii has seen and experienced severe changes.  
3 These changes include the deterioration of the Hawaiian culture,  
4 language, values, and land tenure system, which have in part  
5 resulted in the over-development of the coastline, alteration of  
6 fresh water streams, destruction of the life-giving watersheds,  
7 decimation of the coral reefs, and the decline of endemic marine  
8 and terrestrial species.

9           Native Hawaiian culture has knowledge that has been passed  
10 on for generations, and still living for the purposes of  
11 perpetuating traditional protocols, caring for and protecting  
12 the environment, and strengthening cultural and spiritual  
13 connections. It is through the aha moku council that native  
14 Hawaiians protected their environment and sustained the  
15 abundance of resources that they depended upon for thousands of  
16 years.

17           Today, many Hawaiian communities are becoming revitalized  
18 by using the knowledge of cultural practitioners that was passed



1 down through kupuna, and experienced farmers (mahi'ai) and  
2 fishers (lawai'a) to engage and enhance sustainability,  
3 subsistence, and self-sufficiency. Furthermore, many Hawaiian  
4 communities are interested, concerned, involved, willing, and  
5 able to advise government agencies, organizations, and other  
6 interested groups in integrating traditional knowledge and  
7 ahupua'a management practices.

8       The legislature further finds that on August 15-17, 2006,  
9 the Ho'ohanohano I Na Kupuna Puwalu series began and Native  
10 Hawaiian cultural and traditional practitioners who are versed  
11 in lawai'a and mahiai, ocean, and land ahupua'a methods gathered  
12 to discuss and bring forth the wisdom of the kupuna and  
13 ancestors. It was a gathering of empirical knowledge handed  
14 down from generation to generation on traditional fishing,  
15 agriculture, streams, fishponds, and land use methodology based  
16 on the ahupua'a system. Representatives from thirty-seven moku  
17 in the State of Hawaii and over one hundred ahupua'a  
18 practitioners, including kupuna and the acknowledged traditional  
19 experts of each moku, all joined together to come forth with  
20 their mana'o and concerns.



1           The conclusion of Puwalu Ekahi was the creation of a  
2 resolution calling on Native Hawaiians to begin a process to  
3 uphold and continue Hawaiian traditional land and ocean  
4 practices. Perpetuating and preserving the knowledge of the  
5 practitioners through the continuation of the konohiki  
6 management, the kapu system, and the creation of an aha moku and  
7 the ahupua'a management system was the consensus.

8           On November 8 and 9, 2006, Puwalu 'Elua brought together  
9 educators, administrators, cultural practitioners, and kupuna to  
10 discuss practices such as: values and the spiritual connection  
11 between natural resources and Native Hawaiians; the ahupua'a  
12 concept; generational knowledge and learning; the importance of  
13 place names and mo'olelo; seasonal closures and lunar calendars;  
14 fishing practices; Northwest Hawaiian islands; konohiki  
15 connections; marine protected areas; upena (nets); placed based  
16 kapu; limu; and pu'uhonua concepts that could be developed as an  
17 educational framework to integrate this knowledge into a  
18 curricula for all public, private, charter, and Hawaiian  
19 immersion schools in Hawaii.

20           On December 19 and 20, 2006, Puwalu 'Elua brought together  
21 major policymakers and stakeholders in the protection of the



1 Hawaii ecosystem. Native Hawaiian practitioners and experts in  
2 traditional methods of sustainability, government policymakers  
3 including members of the legislature, state agency directors,  
4 environmental groups, educational leaders, and Hawaiian  
5 community organizations discussed existing programs and their  
6 successes and failures in community building. In conclusion, it  
7 was agreed that the statutes and ordinances, and a framework for  
8 community consultation using the Hawaiian perspective and  
9 traditional methods such as the ahupua'a management system was  
10 needed, and the creation of the aha moku councils should be  
11 established.

12 The purpose of this Act is to create a system of best  
13 practices that is based upon the indigenous resource management  
14 practices of moku (regional) boundaries, which acknowledges the  
15 natural contours of land, the specific resources located within  
16 those areas, and the methodology necessary to sustain resources  
17 and the community. The aha moku council system will foster  
18 understanding and practical use of knowledge, including native  
19 Hawaiian methodology and expertise, to assure responsible  
20 stewardship and awareness of the interconnectedness of the  
21 clouds, forests, valleys, land, streams, fishponds, and sea.  
22 The council system will include the use of community expertise



1 and establish programs and projects to improve communication,  
2 education, provide training on stewardship issues throughout the  
3 region (moku), and increase education.

4 SECTION 2. (a) There is established the aha moku council  
5 system advisory committee to advise the legislature in carrying  
6 out the purposes of this Act. The advisory committee shall  
7 consist of five members appointed by the governor without regard  
8 to section 78-4, Hawaii Revised Statutes, from a list of  
9 nominations submitted by the Association of Hawaiian Civic  
10 Clubs. The advisory committee members shall select the  
11 chairperson of the committee and shall be reimbursed for  
12 expenses, including travel expenses, necessary for the  
13 performance of their duties.

14 (b) The advisory committee shall:

15 (1) Explore, examine, and derive best practice models for  
16 the creation of an aha moku council system that will:

17 (A) Provide advisory input based upon the indigenous  
18 resource management practices of each moku to  
19 state and county agencies;

20 (B) Aid in the development of a comprehensive set of  
21 best practices for natural resources management;



- 1 (C) Foster the understanding and practical use of
- 2 knowledge, including Native Hawaiian methodology
- 3 and expertise;
- 4 (D) Ensure the future sustainable use of the State's
- 5 marine, land, cultural, agricultural, and natural
- 6 resources;
- 7 (E) Enhance community education and cultural
- 8 awareness; and
- 9 (F) Participate in the protection and preservation of
- 10 the State's natural resource;
- 11 (2) Engage in discussion with and participate in meetings
- 12 and events held by the various moku statewide to gain
- 13 perspective and develop a consensus on establishing an
- 14 aha moku council system with an aha moku council
- 15 commission;
- 16 (3) Establish an administrative structure for the creation
- 17 of an aha moku council commission to oversee an aha
- 18 moku council system, which shall consist of eight aha
- 19 kirole members, representing each island;
- 20 (4) Establish a standard eligibility criteria and
- 21 selection process for each aha kirole member and the
- 22 selection of a executive director;



- 1 (5) Establish goals and objectives for an aha moku council  
2 commission to accomplish, including benchmarks for  
3 long-term planning and sustainable objectives;
- 4 (6) Establish goals and objectives for an aha moku council  
5 system to accomplish, including benchmarks for long-  
6 term planning and sustainable objectives; and
- 7 (7) Establish a feasible operational budget for an aha  
8 moku council commission to conduct meetings, cover  
9 administrative expenses, and disseminate information  
10 and advice for the creation of an aha moku council  
11 system.
- 12 (c) The advisory committee shall submit a written interim  
13 report of its findings and recommendations, including any  
14 proposed legislation, no later than twenty days prior to the  
15 convening of the 2008 regular session. The advisory committee  
16 shall submit a written final report of its findings and  
17 recommendations, including any proposed legislation, no later  
18 than twenty days prior to the convening of the 2009 regular  
19 session.
- 20 (d) The department of land and natural resources shall  
21 provide support services to the advisory committee as the  
22 advisory committee deems necessary.



1 (e) The advisory committee shall cease to exist on  
2 June 30, 2009.

3 SECTION 3. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$111,000, or so much  
5 thereof as may be necessary for fiscal year 2007-2008, and the  
6 same sum, or so much thereof as may be necessary for fiscal year  
7 2008-2009, for administrative costs related to carrying out the  
8 duties of the aha moku council system advisory committee, and  
9 for allowing each of the thirty-seven moku statewide to actively  
10 participate and engage in discussion on the creation of an aha  
11 moku council system.

12 The sums appropriated shall be expended by the department  
13 of land and natural resources for the purposes of this Act.

14 SECTION 4. This Act shall take effect upon its approval;  
15 provided that section 3 of this Act shall take effect on July 1,  
16 2007.





**Report Title:**

Aha Moku Council System; Advisory Committee

**Description:**

Establishes an aha moku council system advisory committee to provide a framework on the formation of an aha moku council commission that shall serve as in an advisory capacity on all matters regarding the management of the State's natural resources. Appropriates funds for the advisory committee to carry out its duties. (SD1)

