
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, that 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 mahi`ai, ocean, and land ahupua`a methods
12 gathered 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.

21 The conclusion of Puwalu Ekahi was the creation of a
22 resolution calling on native Hawaiians to begin a process to



1 uphold and continue Hawaiian traditional land and ocean
2 practices. Perpetuating and preserving the knowledge of the
3 practitioners through the continuation of the konohiki
4 management and the kapu system, and the creation of an aha moku
5 and the ahupua`a management system was the consensus.

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

18 On December 19 and 20, 2006, Puwalu `Elua brought together
19 major policymakers and stakeholders in the protection of the
20 Hawaii ecosystem. Native Hawaiian practitioners and experts in
21 traditional methods of sustainability, government policymakers
22 including members of the legislature, state agency directors,



1 environmental groups, educational leaders, and Hawaiian
2 community organizations discussed existing programs and their
3 successes and failures in community building. In conclusion, it
4 was agreed that the statutes and ordinances, and a framework for
5 community consultation using the Hawaiian perspective and
6 traditional methods, such as the ahupua`a management system was
7 needed, and the creation of the aha moku councils should be
8 established.

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



1 SECTION 2. (a) There is established the aha moku council
2 system advisory committee to advise the legislature in carrying
3 out the purposes of this Act. The advisory committee shall
4 consist of five members appointed by the governor without regard
5 to section 78-4, Hawaii Revised Statutes, as follows:

6 (1) Two members shall be appointed from a list of six
7 nominees submitted by the Association of Hawaiian
8 Civic Clubs;

9 (2) Two members shall be appointed from a list of six
10 nominees submitted by the office of Hawaiian affairs;
11 and

12 (3) One member shall be appointed from a list of three
13 nominees submitted by the department of Hawaiian home
14 lands.

15 The advisory committee members shall select the chairperson
16 of the committee and shall be reimbursed for expenses, including
17 travel expenses, necessary for the performance of their duties.

18 (b) The advisory committee shall:

19 (1) Explore, examine, and derive best practice models for
20 the creation of an aha moku council system that shall:



- 1 (A) Provide advisory input based upon the indigenous
2 resource management practices of each moku to
3 state and county agencies;
- 4 (B) Aid in the development of a comprehensive set of
5 best practices for natural and cultural resources
6 management;
- 7 (C) Foster the understanding and practical use of
8 knowledge, including native Hawaiian methodology
9 and expertise;
- 10 (D) Ensure the future sustainability of the State's
11 marine, land, cultural, agricultural, and natural
12 resources;
- 13 (E) Enhance community education and cultural
14 awareness; and
- 15 (F) Participate in the protection and preservation of
16 the State's natural and cultural resources;
- 17 (2) Engage in discussion with and participate in meetings
18 and events held by the various moku statewide to gain
19 perspective and develop a consensus on establishing an
20 aha moku council system with an aha moku council
21 commission;



- 1 (3) Establish an administrative structure for the creation
2 of an aha moku council commission to oversee an aha
3 moku council system that shall consist of eight aha
4 kirole members, representing each island;
- 5 (4) Establish a standard eligibility criteria and
6 selection process for each aha kirole member and the
7 selection of a executive director;
- 8 (5) Establish goals and objectives for an aha moku council
9 commission to accomplish, including benchmarks for
10 long-term planning and sustainable objectives;
- 11 (6) Establish goals and objectives for an aha moku council
12 system to accomplish, including benchmarks for long-
13 term planning and sustainable objectives; and
- 14 (7) Establish a feasible operational budget for an aha
15 moku council commission to conduct meetings, cover
16 administrative expenses, and disseminate information
17 and advice for the creation of an aha moku council
18 system.
- 19 (c) The advisory committee shall submit a written interim
20 report of its findings and recommendations to the legislature,
21 including any proposed legislation to the legislature, no later
22 than twenty days prior to the convening of the 2008 regular



1 session. The advisory committee shall submit a written final
2 report of its findings and recommendations, including any
3 proposed legislation, no later than twenty days prior to the
4 convening of the 2009 regular session.

5 (d) The department of land and natural resources shall
6 provide support services to the advisory committee as the
7 advisory committee deems necessary.

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

10 SECTION 3. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$, or so much
12 thereof as may be necessary for fiscal year 2007-2008, and the
13 same sum, or so much thereof as may be necessary for fiscal year
14 2008-2009, for administrative costs related to carrying out the
15 duties of the aha moku council system advisory committee, and
16 for allowing each of the thirty-seven moku statewide to actively
17 participate and engage in discussion on the creation of an aha
18 moku council system.

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



1 SECTION 4. This Act shall take effect upon its approval;
2 provided that section 3 of this Act shall take effect on July 1,
3 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. Requires governor to select two advisory committee members from list provided by Association of Hawaiian Civic Clubs; two members from list provided by office of Hawaiian affairs, and one member from list provided by department of Hawaiian home lands. Appropriates funds for the advisory committee to carry out its duties. (SD2)

