

JAN 22 2007

S.B. NO. 1531

A BILL FOR AN ACT

RELATING TO COASTAL ZONE MANAGEMENT.

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

1 SECTION 1. The purpose of this Act is to ensure native
2 Hawaiian representation on the public advisory body relating to
3 coastal zone management. The people of the State of Hawaii
4 acknowledged an obligation to the indigenous people of Hawaii by
5 ratifying the 1978 constitutional amendment that compelled the
6 creation of the office of Hawaiian affairs. Subsequently, Act
7 196, Session Laws of Hawaii 1979, formally created the office of
8 Hawaiian affairs. In establishing the office of Hawaiian
9 affairs, the legislature specified six purposes of the office.
10 One of the purposes empowered the office to:

11 ...Serv[e] as the principal public agency in this State
12 responsible for the performance, development, and
13 coordination of programs and activities relating to native
14 Hawaiians and Hawaiians;....

15 Section 10-3(3), Hawaii Revised Statutes.

16 The legislature also directed in section 10-13.5, Hawaii
17 Revised Statutes, that, "Twenty per cent of all funds derived



1 from the public land trust...shall be expended by the office"
2 for the betterment of the conditions of native Hawaiians."

3 The public land trust makes up more than ninety-four per
4 cent of all state lands. The sound and prudent management of
5 all state lands and coastal resources is of critical importance
6 to native Hawaiians both as a revenue source for their self-
7 determination and for the preservation of their cultural and
8 religious practices. The State's decisions concerning land use
9 and the management of coastal zone resources directly affect
10 native Hawaiians. The office of Hawaiian affairs, as the agency
11 charged with the betterment of the conditions of native
12 Hawaiians, needs to contribute to the State's stewardship over
13 these resources. Such a role furthers the original legislative
14 intent mandated in 1979 through section 10-3, Hawaii Revised
15 Statutes.

16 This Act provides for the director of the office of
17 planning to appoint one member to one of the public advisory
18 bodies directly affecting the management of those land and
19 coastal zone resources from a list of three nominees submitted
20 by the office of Hawaiian affairs.

21 SECTION 2. Section 205A-3.5, Hawaii Revised Statutes, is
22 amended by amending subsection (b) to read as follows:



1 "(b) The public advisory body shall be composed of not
2 more than twelve members who shall be appointed by the director
3 of the lead agency for staggered terms of not more than three
4 years. One member shall be appointed from, and any vacancy in
5 that member's place on the public advisory body filled from, a
6 list of three nominees submitted by the office of Hawaiian
7 affairs. [~~These~~] All members shall be selected with
8 consideration given to the following criteria:

- 9 (1) Statewide geographic distribution; and
10 (2) Balanced representation from among the following
11 interests: business, environment, practitioners of
12 native Hawaiian culture, terrestrial and marine
13 commerce, recreation, research, and tourism.

14 The lead agency shall undertake widespread solicitation of
15 applications from persons who are interested in serving on the
16 public advisory body."

17 SECTION 3. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval,
20 and shall apply to the public advisory body established by



1 section 205A-3.5, Hawaii Revised Statutes, upon its next
2 vacancy.

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INTRODUCED BY:

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Report Title:

Coastal Zone Management

Description:

Requires the director of the office of planning to appoint one member of the public advisory body for coastal zone management from a list of three nominees submitted by the office of Hawaiian affairs.

