

Honolulu, Hawaii

FEB 08 2007

RE: S.B. No. 615
S.D. 1

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

Madam:

Your Committees on Water, Land, Agriculture, and Hawaiian Affairs and Education, to which was referred S.B. No. 615 entitled:

"A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN PRACTICES,"

beg leave to report as follows:

The purpose of this measure is to recognize Native Hawaiian traditional and cultural practices pertaining to the land and the ocean by appropriating funds to develop a plan for the creation of a permanent 'Aha Moku Advisory Council, which will serve as an advisory body to governmental agencies involved with adopting and maintaining regulatory policies pertaining to the ocean and land.

Testimony in support of this measure was submitted by the Association of Hawaiian Civic Clubs, the Hawaiian Civic Club of Hilo, the Nature Conservancy, and a private individual.

Before Western contact, Native Hawaiians successfully controlled, nurtured, protected, and preserved their native cultural traditions and practices. These traditions and practices reflect a deep spiritual connection with the ocean and the land, but are in imminent danger of being lost. Furthermore, Hawaiian indigenous and endemic species of marine and terrestrial life, found nowhere else in the world, are in imminent danger of extinction. Ironically, the Native Hawaiian community, as the host culture, is usually not consulted at the policy-making level on laws and rules that relate to the ocean and land, and may have a direct impact on their culture, despite their traditional



cultural methods defined under ahupua'a management systems, which sustained the Native Hawaiians for thousands of years prior to Western contact.

Your Committees find that actively engaging the Native Hawaiian community in creating a consensus on a process to protect and perpetuate Hawaii's unique marine and land resources will create a more sustainable future for Hawaii. An 'Aha Moku task force consisting of representatives from each moku of each island and other key stakeholders will assist in developing a plan for the formation of a permanent 'Aha Moku Advisory Council. The permanent 'Aha Moku Advisory Council will then serve as an advisory body to governmental agencies involved with adopting and maintaining regulatory policies pertaining to the ocean and land.

The intent of this measure is to provide sustainable measures for the continued presence and growth of Hawaii's unique and delicate marine and land resources. Engaging the Native Hawaiian community in creating a marine and land resources consensus will assist in the protection and preservation of Native Hawaiian cultural traditions and practices, and create a more sustainable future for Hawaii's marine and land resources.

Your Committees have amended this measure by:

- (1) Adopting the suggestion made by the Association of Hawaiian Civic Clubs by:
 - (A) Adding specific language that the permanent 'Aha Moku Advisory Council will be developed by participants in the Na Ho'ohanohano I Na Kupuna Puwalu Series; and
 - (B) Adding, as an additional duty for the task force to accomplish, the researching of a proper site within the University of Hawaii to be a permanent and safe depository for data and information; and
- (2) Making technical, nonsubstantive amendments for the purposes of style and consistency.

As affirmed by the records of votes of the members of your Committees on Water, Land, Agriculture, and Hawaiian Affairs and Education that are attached to this report, your Committees are in



accord with the intent and purpose of S.B. No. 615, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 615, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land,
Agriculture, and Hawaiian
Affairs and Education,



NORMAN SAKAMOTO, Chair




RUSSELL S. KOKUBUN, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii


Record of Votes
Committee on Water, Land, Agriculture and Hawaiian Affairs
WAH

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|--|---------------------|-----------------|-----|---------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| SB 615 | WAH/EDU, WAM | 2-2-07 | | |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: | | | | |
| <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| KOKUBUN, Russell S. (C) | X | | | |
| TOKUDA, Jill N. (VC) | X | | | |
| FUKUNAGA, Carol | X | | | |
| HEE, Clayton | X | | | |
| SLOM, Sam | X | | | |
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| TOTAL | 5 | | | |
| Recommendation: | | | | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
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| Distribution: | | | | |
| Original | Yellow | Pink | | |
| File with Committee Report | Clerk's Office | Drafting Agency | | |

*Only one measure per Record of Votes

The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Education
EDU

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|--|--------------------------|-------------------------|-----|---------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| SB 615 | WAH/EDU, WAMC | 02/02/07 | | |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: | | | | |
| <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| SAKAMOTO, Norman (C) | ✓ | | | |
| TOKUDA, Jill N. (VC) | ✓ | | | |
| CHUN OAKLAND, Suzanne | ✓ | | | |
| HEE, Clayton | ✓ | | | |
| NISHIHARA, Clarence K. | | | | ✓ |
| TANIGUCHI, Brian T. | | | | ✓ |
| GABBARD, Mike | ✓ | | | |
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| TOTAL | 5 | 0 | 0 | 2 |
| Recommendation: | | | | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
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| Distribution: | | | | |
| Original File with Committee Report | Yellow Clerk's Office | Pink Drafting Agency | | |

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