
HOUSE CONCURRENT RESOLUTION

REQUESTING A STUDY OF THE ESTABLISHMENT OF A COMMUNITY-BASED
CARETAKING AND EDUCATIONAL PROGRAM FOR AREAS OF STATE PARKS
THAT CONTAIN HEIAU AND OTHER SACRED SITES.

1 WHEREAS, the Department of Land and Natural Resources,
2 through its Division of State Parks, manages fifty-three state
3 parks, comprising roughly twenty-five thousand acres over five
4 major islands; and

5
6 WHEREAS, Native Hawaiian cosmology believes that all Hawaii
7 lands are sacred; and

8
9 WHEREAS, a large portion of state park holdings include
10 specific sacred sites; for example:

- 11
12 (1) On O'ahu: Kapa'ele'ele Ko'a, Kaenieni Kilo, and
13 Huilua Fishpond in Kahana, Ka'ena Point, Keaiwa Heiau
14 in 'Aiea, Kūkaniloko in Waialua, Pu'u o Mohuka in
15 Pūpūkea, and the Ka Iwi coast;
16
17 (2) On Maui: Haleki'i and Pihana Heiau in Wailuku, 'Iao
18 Valley, and Pi'ilani Trail in Wai'anapanapa;
19
20 (3) On Hawai'i: 'Akaka Falls, Mo'okini Heiau in Kohala,
21 Mauna Kea, and Wailuku River;
22
23 (4) On Kaua'i: Caves in Ha'ena, Na Pali Heiau and
24 Terraces, Poli'ahu, Hikinaakalā, Kalaeokamanu, Malae,
25 and Holoholokū Heiau in Wailua; and
26

27 WHEREAS, each island has different protocols and ways and
28 means of care for sacred sites; and

29
30 WHEREAS, each sacred site has different purposes, which
31 require different protocols and ways and means of care; and



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

WHEREAS, all sacred sites listed in this concurrent resolution pre-date foreign arrival to Hawaii and were consecrated under different spiritual laws, namely the tapu system; and

WHEREAS, while the political tapu system was abolished, spiritual tapu, much like that afforded to existing churches in Hawai'i (for example, the Church of Jesus Christ of Latter-day Saints temple in La'ie), still exist and are an integral part of Native Hawaiian sacred-site care; and

WHEREAS, due to the dismantling of Native Hawaiian spirituality upon foreign contact, the Native Hawaiian has been and remains separated from sacred sites; and

WHEREAS, Article XII, Section 7 of the Hawaii State Constitution states, "The State reaffirms and shall protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua`a tenants who are descendants of native Hawaiians who inhabited the Hawaiian islands prior to 1778, subject to the State to regulate such rights" (emphasis added); and

WHEREAS, the state parks are heavily utilized, underfunded, and understaffed; and

WHEREAS, a study would be helpful in assessing the current standard and level of care actually given to Native Hawaiian sacred sites under the jurisdiction of the Division of State Parks and determining any changes needed to uphold the State's obligation under Article XII, Section 7 of the Hawaii State Constitution; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2009, the Senate concurring, that the Office of Hawaiian Affairs is requested to study the establishment of a community-based caretaking and educational program for areas of state parks that contain heiau and other sacred sites; and

BE IT FURTHER RESOLVED that the Legislature requests that the study include, but not necessarily be limited to the following:



1
2 (1) A cultural assessment of how effectively three
3 selected sacred sites at state parks are being cared
4 for, with the Office of Hawaiian Affairs selecting the
5 sacred sites to be studied;

6
7 (2) The development of possible solutions to caretaking
8 problems that are discovered, including describing the
9 basic elements of a community-based caretaking and
10 educational program; and

11
12 BE IT FURTHER RESOLVED that all government agencies
13 involved in Hawaii's cultural and natural preservation,
14 including but not limited to the Department of Land and Natural
15 Resources, are requested to provide their full cooperation and
16 all relevant data and other information to the Office of
17 Hawaiian Affairs during the planning and conduct of the study;
18 and

19
20 BE IT FURTHER RESOLVED that the cooperation of the
21 Department of Land and Natural Resources is requested to include
22 but not be limited to providing the Office of Hawaiian Affairs,
23 cultural practitioners who are of the faith of Native Hawaiians
24 who inhabited the Hawaiian Islands prior to 1778, and other
25 appropriate members of the Native Hawaiian community, with
26 unfettered access to the sacred sites for a sufficient time
27 period during the planning and conduct of the study to assess
28 existing conditions and formulate appropriate educational and
29 curatorship programs; and

30
31 BE IT FURTHER RESOLVED that the Office of Hawaiian Affairs
32 is requested to submit, not later than twenty days prior to the
33 convening of the Regular Session of 2010, findings and
34 recommendations, including any proposed legislation, for the
35 proper and appropriate caretaking of, and education concerning,
36 sacred sites held by the Division of State Parks; and
37

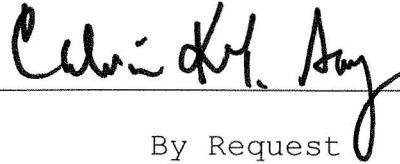


H.C.R. NO. 28

1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Governor, the
3 Chairperson of the Board of Trustees of the Office of Hawaiian
4 Affairs, the Chairperson of the Board of Land and Natural
5 Resources, and the Administrator of the Division of State Parks.

6
7
8

OFFERED BY:



By Request

JAN 26 2009

