
A BILL FOR AN ACT

RELATING TO HAWAIIAN NATURAL RESOURCE MANAGEMENT.

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

1 PART I

2 SECTION 1. (a) There is established within the department
3 of land and natural resources, for administrative purposes only,
4 an aha ahapua'a council task force to establish natural resource
5 advisory councils, to be known as aha ahapua'a councils, and
6 create the foundation for a system of best practices based upon
7 Hawaiian resource management practices that acknowledge the
8 natural contours of land, the specific resources located within
9 an area, and the methodology necessary to sustain those
10 resources and the community.

11 (b) The task force shall be comprised of twelve members
12 who shall be appointed by the governor without regard to
13 sections 26-34 and 78-4, Hawaii Revised Statutes, from a list of
14 nominations submitted by the Association of Hawaiian Civic
15 Clubs. The governor shall appoint members to the task force no
16 later than December 30, 2009.

17 (c) The members of the task force shall select the chair
18 and vice chair of the task force and shall be reimbursed for



1 reasonable expenses, including travel expenses, necessary for
2 the performance of their duties. Members of the task force may
3 designate a representative for the purpose of attendance at task
4 force meetings.

5 (d) The task force shall:

6 (1) Meet as necessary to plan for the implementation of
7 this Act, including the preparation of reports and
8 proposed legislation necessary to carry out the
9 purposes of this Act;

10 (2) Define boundaries throughout the state based on the
11 ahupua'a land system practiced by ancient Hawaiians;

12 (3) Establish a methodology for the election of members to
13 the aha ahapua'a councils;

14 (4) Inform residents belonging to an ahupua'a about the aha
15 ahapua'a councils to be established and the methodology
16 to be used for the election of members to the aha
17 ahapua'a councils;

18 (5) Conduct community meetings in each ahupua'a to elect
19 representatives to each aha ahapua'a council in
20 accordance with the following timetable:



1 (A) By June 30, 2010, twenty-five per cent of the
2 elections shall be completed;

3 (B) By December 31, 2010, fifty per cent of the
4 elections shall be completed;

5 (C) By June 30, 2011, seventy-five per cent of the
6 elections shall be completed; and

7 (D) By December 31, 2011, all elections shall be
8 completed; and

9 (6) Establish a timetable for the elections for each of
10 the councils.

11 (d) The department of land and natural resources shall
12 provide the administrative, technical, and clerical support
13 services necessary to assist the task force in achieving its
14 purpose as required under this Act.

15 (e) The task force shall submit a report of its findings,
16 recommendations for implementation of the aha ahupua'a council
17 system, and actions taken to begin implementation of the aha
18 ahupua'a council system, including any proposed legislation
19 necessary for the implementation of the aha ahupua'a council
20 system, no later than twenty days prior to the convening of the
21 regular session of 2010.



1 (f) The aha ahapua'a council task force shall cease to
2 exist after December 31, 2011.

3 PART II

4 SECTION 2. The Hawaii Revised Statutes is amended by
5 adding a new chapter to be appropriately designated and to read
6 as follows:

7 "CHAPTER

8 AHA MOKU SYSTEM

9 § -1 Definitions. As used in this chapter:

10 "Ahapua'a" means a Hawaiian land division running from the
11 mountains to the ocean.

12 "Moku" means the largest Hawaiian island regional boundary.

13 § -2 Aha kiolo council; established. (a) There is
14 established an aha kiolo council within the department of land
15 and natural resources for administrative purposes only. The aha
16 kiolo council shall consist of eight members who shall be
17 selected by the aha moku council established under section -
18 4; provided that each of the main Hawaiian islands shall be
19 represented by one member.

20 (b) One member, who shall be selected by a two-thirds vote
21 of the aha kiolo council, shall serve as chairperson of the aha
22 kiolo council.



1 (c) A vacancy in the aha kiole council shall be filled in
2 the manner specified in subsection (a) within fifteen days of
3 the vacancy. A vacancy in the aha kiole council shall be filled
4 with a person from the same island as the departing aha kiole
5 council member. Aha kiole council member vacancies not filled
6 within the times specified shall be filled promptly thereafter
7 by the chief justice of the supreme court.

8 (d) The aha kiole council shall act by majority vote of
9 its membership and shall establish its own procedures, except as
10 may be provided by law.

11 (e) The term of the aha kiole council members shall be
12 four years, except that with respect to the terms of the initial
13 aha kiole council members, four members shall be randomly
14 selected and shall serve for a term of two years.

15 (f) The aha kiole council members shall serve without
16 compensation, but shall be reimbursed for reasonable expenses,
17 including travel expenses, necessary for the performance of
18 their duties.

19 § -3 **Aha kiole council; powers and duties.** (a) The
20 aha kiole council shall:

21 (1) Advise the State on traditional natural resource and
22 land management practices;



- 1 (2) Deliberate and resolve any issues brought to the
2 council by the aha moku council established under
3 section -4, or any issues considered by the aha
4 kiolo council as being of statewide importance, or
5 affecting more than one island;
- 6 (3) Maintain an archival repository for issues and
7 resolutions addressed by an aha moku council
8 established under section -4 or an aha ahupua'a
9 council established under section -8; and
- 10 (4) Represent ahupua'as statewide in the state, national,
11 and international arenas.

12 § -4 **Aha moku councils; established.** (a) There are
13 established within the department of land and natural resources,
14 for administrative purposes only, eight aha moku councils, one
15 representing each of the main Hawaiian islands. Each aha moku
16 council shall consist of members selected by the aha ahupua'a
17 council established under section -7; provided that each aha
18 ahupua'a council shall be represented by one member.

19 (b) One member, who shall be selected by a two-thirds vote
20 of the aha moku council, shall serve as chairperson of the aha
21 moku council.



1 (c) A vacancy in the aha moku council shall be filled in
2 the manner as specified in subsection (a) within fifteen days of
3 the vacancy. A vacancy in the aha moku council shall be filled
4 with a person from the same aha ahupua'a council as the departing
5 aha moku council member. Aha moku council member vacancies not
6 filled within the times specified shall be filled promptly
7 thereafter by the chief justice of the supreme court.

8 (d) The aha moku council shall act by majority vote of its
9 membership and shall establish its own procedures, except as may
10 be provided by law.

11 (e) The term of the aha moku council member shall be four
12 years, except that with respect to the terms of the initial aha
13 moku council members, fifty per cent of the members shall be
14 randomly selected and shall serve for a term of two years.

15 (f) The aha moku council members shall serve without
16 compensation, but shall be reimbursed for reasonable expenses,
17 including travel expenses, necessary for the performance of
18 their duties.

19 § -5 Aha moku councils; powers and duties. (a) Aha
20 moku councils shall:

21 (1) Advise the counties on traditional natural resource
22 and land management practices;



- 1 (2) Deliberate and resolve any issues:
- 2 (A) Brought to the council by an aha ahupua'au council
- 3 established under section -8;
- 4 (B) Involving more than one moku; or
- 5 (C) Considered by the aha moku councils as being of
- 6 countywide importance;
- 7 (3) Serve as an archival repository for issues and
- 8 resolutions addressed by an aha ahupua'a council
- 9 established under section -8; and
- 10 (4) Elect members to the aha kiolo council established
- 11 under section -2.

12 **§ -6 Aha Ahupua'a councils; established.** (a) There
13 are established within the department of land and natural
14 resources, for administrative purposes only, aha ahupua'a
15 councils representing each ahupua'a. Each aha ahupua'a council
16 shall consist of members who shall be selected by the residents
17 living in their respective ahupua'a; provided that each ahupua'a
18 shall be represented by one member.

19 (b) One member, who shall be selected by a two-thirds vote
20 of the aha ahupua'a council, shall serve as chairperson of the
21 aha ahupua'a council.



1 (c) A vacancy in the aha ahupua'a council shall be filled
2 in the manner as specified in subsection (a) within ninety days.
3 A vacancy in the aha ahupua'a council shall be filled with a
4 person from the same ahupua'a as the departing aha ahupua'a
5 council member. Aha ahupua'a council member vacancies not filled
6 within the times specified shall be filled promptly thereafter
7 by the chief justice of the supreme court.

8 (d) The aha ahupua'a council shall act by majority vote of
9 its membership and shall establish its own procedures, except as
10 may be provided by law.

11 (e) The term of the aha ahupua'a council member shall be
12 four years, except that with respect to the terms of the initial
13 aha ahupua'a council members, fifty per cent of the members shall
14 be randomly selected and shall serve for a term of two years.

15 (f) The aha ahupua'a council members shall serve without
16 compensation, but shall be reimbursed for reasonable expenses,
17 including travel expenses, necessary for the performance of
18 their duties.

19 § -7 Aha ahupua'a councils; powers and duties. (a)

20 Aha ahupua'a councils shall:



- 1 (1) Provide advice and information to the ahupua‘a
2 community on natural resource and land management
3 practices within the ahupua‘a;
- 4 (2) Deliberate and resolve any issues brought to the
5 council concerning the lands and resources in an
6 ahupua‘a that cannot be resolved by the ahupua‘a
7 through a community forum or other informal social
8 contract process, or involving more than one community
9 within the ahupua‘a;
- 10 (3) Forward any issues and resolutions addressed by an aha
11 ahupua'a council to the aha moku councils established
12 under section -4 and the aha kiolo council
13 established under section -2 for archiving;
- 14 (4) Forward any issue involving more than one ahupua‘a or
15 any issue identified as an island or county issue to
16 the aha moku council established under section -4;
17 and
- 18 (5) Elect members to the aha moku council established
19 under section -4.

PART III

21 SECTION 3. This Act shall take effect upon its approval;
22 provided that part II of this Act shall take effect upon the



1 completion of the final elections held in accordance with part I
2 of this Act.
3

INTRODUCED BY: Mele Carrol

JAN 28 2009



Report Title:

Aha Moku; Aha Kiole Council; Aha Ahupua'a Council

Description:

Establishes the Aha Ahupua'a Task Force to establish a hierarchy of natural resource advisory councils known as Aha Ahupua'a Councils. Establishes an Aha Kiole Council and Aha Moku councils to advise the state and counties on traditional land management and natural resources issues.

