

STAND. COM. REP. NO.

486

Honolulu, Hawaii

MAR 03 2011

RE: S.B. No. 23
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committees on Water, Land, and Housing and Hawaiian Affairs, to which was referred S.B. No. 23 entitled:

"A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS,"

beg leave to report as follows:

The purpose and intent of this measure is to establish an 'Aha Kiolo Advisory Commission within the Department of Land and Natural Resources to advise the Governor and the Legislature on all matters regarding the management of the State's land and natural resources.

Your Committees received testimony in support of this measure from the 'Aha Kiolo Advisory Committee, the Association of Hawaiian Civic Clubs, the Ko'olaupoko Hawaiian Civic Club, and forty-six individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources and the Office of Hawaiian Affairs.

Your Committees find that Hawaii's natural environment has experienced dramatic changes over the past two hundred years, including the over-development of the coastline, alteration of fresh water streams, destruction of the life-giving watersheds, decimation of the coral reefs, and the decline of endemic marine and terrestrial species. Your Committees further find that native Hawaiians accumulated a broad base of empirical knowledge and protocols to support their management of limited life-sustaining natural resources in their island home. Your Committees also find that current policies guiding state management of land and natural

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resources do not incorporate traditional knowledge and best practices that are based upon the indigenous resource management practices.

Your Committees find that the Western Pacific Regional Fishery Management Council, which oversees fisheries within the Western Pacific region including Hawaii, uses an ecosystem-based approach to fisheries management that recognizes indigenous resource management practices. Your Committees believe that this approach to resource management perpetuates important traditional knowledge and best practices that are essential to support the vulnerable fishery industry. As a consequence of these findings, your Committees further find that the approach of the Western Pacific Fishery Management Council provides a compelling example for our State.

The Legislature passed Act 212, Session Laws of Hawaii 2007, which created the 'Aha Kiolo Advisory Committee to initiate a process to create a system of best practices that is based upon the indigenous resource management practice of moku (regional) boundary management. Your Committees find that the 'Aha Kiolo Advisory Committee consulted with native Hawaiian communities and the general public, including lawai'a (fisherman), mahiai (farmers), environmentalists, educators, organizations, and agencies through six statewide public puwalu (conferences), island puwalu held on every island, and many public moku and ahupua'a meetings convened from 2007 through 2010. Accordingly, your Committees find that, at the community level, many organizations and individuals are willing and able to contribute knowledge and expertise to help support Hawaii's vulnerable natural resources.

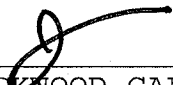
After considering the testimony received, your Committees find it necessary to continue the work started with the establishment of the 'Aha Kiolo Advisory Committee. Your Committees believe that this measure has the potential to positively alter resource management policy within the State of Hawaii, while establishing a framework through which community input and indigenous resource management concepts support state management of our land and natural resources.

Your Committees have amended this measure by making technical, nonsubstantive changes for the purposes of clarity and consistency.



As affirmed by the records of votes of the members of your Committees on Water, Land, and Housing and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 23, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 23, S.D. 1, and be placed on the calendar for Third Reading.

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



BRICWOOD GALUTERIA, Chair

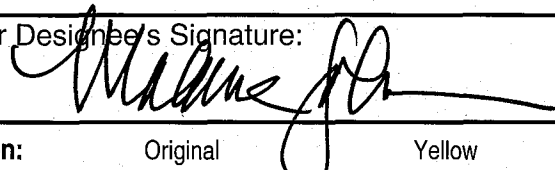


DONOVAN M. DELA CRUZ, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Water, Land, and Housing
WLH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB23	WLH / HWN	2-17-11		
<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
DELA CRUZ, Donovan M. (C)		✓		
SOLOMON, Malama (VC)		✓		
FUKUNAGA, Carol				✓
RYAN, Pohai		✓		
SHIMABUKURO, Maile				✓
TOKUDA, Jill N.				✓
SLOM, Sam		✓		
TOTAL		4		3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:* <i>SB 23</i>	Committee Referral: <i>WLH/HWN</i>	Date: <i>02-16-11</i>		
<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
GALUTERIA, Brickwood (C)	✓			
RYAN, Pohai (VC)	✓			
ENGLISH, J. Kalani	✓			
HEE, Clayton	✓			
KAHELE, Gilbert	✓			
KIDANI, Michelle N.	✓			
SOLOMON, Malama	✓			
SLOM, Sam	✓			
TOTAL	<i>8</i>			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

***Only one measure per Record of Votes**