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# A BILL FOR AN ACT

RELATING TO NATIVE HAWAIIANS.

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

1           SECTION 1. The legislature finds that, over the past two  
2 hundred years, Hawai'i has seen and experienced severe changes.  
3 These changes include the deterioration of the Hawaiian culture,  
4 language, values, and land tenure system, which have in part  
5 resulted in the over-development of the coastline, alteration of  
6 fresh water streams, destruction of life-giving watersheds,  
7 decimation of the coral reefs, and the decline of endemic marine  
8 and terrestrial species.

9           Native Hawaiian culture has knowledge that has been passed  
10 on for generations, and still living for the purpose of  
11 perpetuating traditional protocols, caring for and protecting  
12 the environment, and strengthening cultural and spiritual  
13 connections. It is through the 'aha moku councils that native  
14 Hawaiians protected their environment and sustained the  
15 abundance of resources that they depended upon for thousands of  
16 years.

17           Today, many Hawaiian communities are becoming revitalized  
18 by using the knowledge of cultural practitioners that was passed



1 down through kupuna, and experienced farmers (mahi'ai) and  
2 fishers (lawai'a) to engage and enhance sustainability,  
3 subsistence, and self-sufficiency. Furthermore, many Hawaiian  
4 communities are interested, concerned, involved, willing, and  
5 able to advise government agencies, organizations, and other  
6 interested groups in integrating traditional knowledge and  
7 ahupua'a management practices.

8       The legislature further finds that on August 15-17, 2006,  
9 the Ho'ohanohano I Na Kupuna Puwalu series began and native  
10 Hawaiian cultural and traditional practitioners who are versed  
11 in lawai'a and mahi'ai, ocean, and land ahupua'a methods gathered  
12 to discuss and bring forth the wisdom of the kupuna and  
13 ancestors. It was a gathering of empirical knowledge handed  
14 down from generation to generation on traditional fishing,  
15 agriculture, streams, fishponds, and land use methodology based  
16 on the ahupua'a system. Representatives from thirty-seven moku  
17 in the State and over one hundred ahupua'a practitioners,  
18 including kupuna and the acknowledged traditional experts of  
19 each moku, all joined together to come forth with their mana'o  
20 and concerns.



1           The conclusion of Puwalu Ekahi called for the creation of a  
2 resolution calling on native Hawaiians to begin a process to  
3 uphold and continue Hawaiian traditional land and ocean  
4 practices. Perpetuating and preserving the knowledge of the  
5 practitioners through the continuation of the konohiki  
6 management, the kapu system, and the creation of an 'aha moku and  
7 the ahupua'a management system was the consensus of Puwalu Ekahi.

8           On November 8 and 9, 2006, Puwalu 'Elua brought together  
9 educators, administrators, cultural practitioners, and kupuna to  
10 discuss the values and the spiritual connection between natural  
11 resources and native Hawaiians; the ahupua'a concept;  
12 generational knowledge and learning; the importance of place  
13 names and mo'olelo; seasonal closures and lunar calendars;  
14 fishing practices; the Northwest Hawaiian islands; konohiki  
15 connections; marine protected areas; 'upena (nets); place-based  
16 kapu; limu; and pu'uhonua concepts that could be developed as an  
17 educational framework to integrate this knowledge into a  
18 curricula for all public, private, charter, and Hawaiian  
19 immersion schools in Hawai'i.

20           On December 19 and 20, 2006, Puwalu 'Elua brought together  
21 major policymakers and stakeholders involved in the protection



1 of the Hawai'i ecosystem. Native Hawaiian practitioners and  
2 experts in traditional methods of sustainability, government  
3 policymakers, including members of the legislature, state agency  
4 directors, environmental groups, educational leaders, and  
5 Hawaiian community organizations, discussed existing programs  
6 and their successes and failures in community-building. In  
7 conclusion, it was agreed that statutes, ordinances, and a  
8 framework for community consultation using the Hawaiian  
9 perspective and traditional methods such as the ahupua'a  
10 management system are needed, and the 'aha moku councils should  
11 be established.

12 Between 2006 and 2010, three more puwalu were convened to  
13 gather additional community input on best practices in the area  
14 of native Hawaiian resource management. All puwalu were open to  
15 the public and included farmers, fishers, environmentalists,  
16 educators, organizations and agencies, and governmental  
17 representatives who, through discussions on the integration of  
18 these practices into regulation and common utilization, came to  
19 the consensus of the necessity of integrating the 'aha moku  
20 system into government policy. The information gathered from  
21 all puwalu has been compiled into a comprehensive report to the  
22 legislature as required by Act 212, Session Laws of Hawaii 2007.



1           The purpose of this Act is to formally recognize the 'aha  
2 moku system and to create an 'aha kiole commission, to be located  
3 within the department of land and natural resources, to serve in  
4 an advisory capacity to the governor. The 'aha kiole commission  
5 will advise the governor on issues related to land and natural  
6 resource management through the 'aha moku system, a system of  
7 best practices that is based upon the indigenous resource  
8 management practices of moku (regional) boundaries, which  
9 acknowledges the natural contours of land, the specific  
10 resources located within those areas, and the methodology  
11 necessary to sustain resources and the community.

12           SECTION 2. (a) There is established the 'aha kiole  
13 commission to be placed within the department of land and  
14 natural resources for administrative purposes as provided in  
15 section 26-35, Hawaii Revised Statutes. The commission shall  
16 advise the governor in carrying out the purposes of this Act.  
17 The commission shall consist of eight members selected by the  
18 'aha moku councils of the respective islands without regard to  
19 sections 26-34 and 78-4, Hawaii Revised Statutes. The  
20 commission members shall select the chairperson of the  
21 commission from amongst its members. The members shall not



1 receive compensation for their service but shall be reimbursed  
2 for necessary expenses, including travel expenses, incurred in  
3 the performance of their duties under this Act.

4 (b) The commission shall:

5 (1) Provide advisory input based upon the indigenous  
6 resource management practices of each moku to state  
7 and county agencies;

8 (2) Aid in the implementation of a comprehensive set of  
9 best practices for natural resource management;

10 (3) Foster the understanding and practical use of  
11 knowledge, including native Hawaiian methodology and  
12 expertise;

13 (4) Ensure the future sustainable use of the State's  
14 marine, land, cultural, agricultural, and natural  
15 resources;

16 (5) Enhance community education and cultural awareness;

17 (6) Participate in the protection and preservation of the  
18 State's natural resources;

19 (7) Engage in discussion with and participate in meetings  
20 and events held by the various moku statewide;

21 (8) Establish an administrative structure that oversees  
22 the 'aha moku system; and



1 (9) Select an executive director.

2 (c) The commission shall submit an annual report to the  
3 governor and legislature no later than twenty days prior to the  
4 convening of each regular legislative session, starting with the  
5 2012 regular session. The annual report shall include a list of  
6 all recommendations made by the commission and the resulting  
7 action taken by state and county agencies over the course of the  
8 year.



9 SECTION 3. There is appropriated out of the general  
10 revenues of the State of Hawaii the sum of \$ or so much  
11 thereof as may be necessary for fiscal year 2011-2012 and the  
12 same sum or so much thereof as may be necessary for fiscal year  
13 2012-2013 for the administrative costs related to carrying out  
14 the duties of the 'aha kioloa commission.

15 The sums appropriated shall be expended by the department  
16 of land and natural resources for the purposes of this Act.

17 SECTION 4. This Act shall take effect on July 1, 2011.

18

INTRODUCED BY:

JAN 25 2011



**Report Title:**

'Aha Kiolo Advisory Commission

**Description:**

Establishes the 'Aha Kiolo Advisory Commission placed within the Department of Land and Natural Resources to serve in an advisory capacity to the governor on all matters regarding the management of the State's land and natural resources.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

