

---

---

# 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, Hawaii has experienced extensive changes. These  
3 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 is still practiced 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 the environment and sustained the abundance  
15 of resources that were depended upon for thousands of years.

16           Currently, many Hawaiian communities are becoming  
17 revitalized by utilizing the knowledge of cultural practitioners  
18 that was passed down through kupuna, experienced farmers, and



1 fishers to engage and enhance sustainability, subsistence, and  
2 self-sufficiency. Furthermore, many native Hawaiian communities  
3 are interested, concerned, involved, willing, and able to advise  
4 government agencies, organizations, and other interested groups  
5 in integrating traditional knowledge and ahupuaa management  
6 practices.

7 The legislature further finds that on August 15 through 17,  
8 2006, the Hoohanohano I Na Kupuna Puwalu series began and native  
9 Hawaiian cultural and traditional practitioners who are versed  
10 in farming and fishing, ocean, and land ahupuaa methods gathered  
11 to discuss and bring forth the wisdom of the kupuna and  
12 ancestors. It was a gathering of empirical knowledge handed  
13 down from generation to generation on traditional fishing,  
14 agriculture, streams, fishponds, and land use methodology based  
15 on the ahupuaa system.

16 Representatives from forty-three regions (moku) in the  
17 State and over one hundred ahupuaa Hawaiian cultural  
18 practitioners, including kupuna and the acknowledged traditional  
19 experts joined together to come forth with their manao and  
20 concerns.

21 The conclusion of Puwalu Ekahi called for the creation of a  
22 resolution calling on native Hawaiians to begin a process to



1 uphold and continue Hawaiian traditional land and ocean  
2 practices. Perpetuating and preserving the knowledge of the  
3 practitioners through the continuation of the konohiki  
4 management, the kapu system, and the creation of an aha moku and  
5 the ahupuaa management system was the consensus of Puwalu Ekahi.

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

18 On December 19 and 20, 2006, Puwalu Elua brought together  
19 major policymakers and stakeholders involved in the protection  
20 of the Hawaii ecosystem. Native Hawaiian practitioners and  
21 experts in traditional methods of sustainability, government  
22 policymakers, including members of the legislature, agency



1 directors, environmental groups, educational leaders, and  
2 Hawaiian community organizations, discussed existing programs  
3 and their successes and failures in community-building.

4 In conclusion, it was agreed that statutes, ordinances, and  
5 a framework for community consultation using the Hawaiian  
6 perspective and traditional methods such as the ahupuaa  
7 management system are needed, and the aha moku system should be  
8 established.

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

20 The purpose of this Act is to formally recognize the aha  
21 moku system and to establish the aha moku advisory committee  
22 within the department of land and natural resources, which may



1 serve in an advisory capacity to the chairperson of the board of  
2 land and natural resources. The aha moku advisory committee may  
3 advise on issues related to land and natural resources  
4 management through the aha moku system, a system of best  
5 practices that is based upon the indigenous resource management  
6 practices of moku (regional) boundaries, which acknowledges the  
7 natural contours of land, the specific resources located within  
8 those areas, and the methodology necessary to sustain resources  
9 and the community. The aha moku system will foster  
10 understanding and practical use of knowledge, including native  
11 Hawaiian methodology and expertise, to assure responsible  
12 stewardship and awareness of the interconnections of the clouds,  
13 forests, valleys, land, streams, fishponds, and sea. The moku  
14 system will include the use of community expertise and establish  
15 programs and projects to improve communication, provide training  
16 on stewardship issues throughout the region (moku), and increase  
17 education. The establishment of this committee does not  
18 preclude any person's or organization's right to provide advice  
19 to the department of land and natural resources.

20 SECTION 2. Chapter 171, Hawaii Revised Statutes, is  
21 amended by adding a new section to be appropriately designated  
22 and to read as follows:



1           "§171-       Aha moku advisory committee; established. (a)

2   There is established the aha moku advisory committee to be  
3   placed within the department of land and natural resources for  
4   administrative purposes. The committee may advise the  
5   chairperson of the board of land and natural resources in  
6   carrying out the purposes of this section.

7           (b) The committee shall consist of nine members appointed  
8   by the governor and with the advice and consent of the senate,  
9   as provided in section 26-34, from a list of nominations  
10   submitted by the aha moku councils of each island. Oversight of  
11   the aha moku advisory committee shall be by the chairperson of  
12   the board of land and natural resources. The committee members  
13   shall select a chairperson from among its members.

14           (c) The members shall not receive compensation for their  
15   service, but shall be reimbursed for necessary expenses,  
16   including travel expenses, incurred while participating in  
17   meetings and events approved in advance by the chairperson of  
18   the board of land and natural resources.

19           The aha moku advisory committee may hire an executive  
20   director who shall be exempt from chapter 76.



1        (d) The aha moku advisory committee may provide advice to  
2 the chairperson of the board of land and natural resources on  
3 the following:

4        (1) Integrating indigenous resource management practices  
5 with western management practices in each moku;

6        (2) Identifying a comprehensive set of indigenous  
7 practices for natural resource management;

8        (3) Fostering the understanding and practical use of  
9 native Hawaiian resource knowledge, methodology, and  
10 expertise;

11       (4) Sustaining the State's marine, land, cultural,  
12 agricultural, and natural resources;

13       (5) Providing community education and fostering cultural  
14 awareness on the benefits of the aha moku system;

15       (6) Fostering protection and conservation of the State's  
16 natural resources; and

17       (7) Developing an administrative structure that oversees  
18 the aha moku system.

19       (e) The aha moku advisory committee shall submit an annual  
20 report in English and Hawaiian to the legislature and the  
21 chairperson of the board of land and natural resources no later  
22 than twenty days prior to the convening of each regular session.



1 The annual report shall include a list of all recommendations  
2 made by the committee and the resulting action taken by the  
3 department during the prior year."

4 SECTION 3. There is appropriated out of the sum  
5 of \$ or so much thereof as may be necessary for fiscal  
6 year 2012-2013 for the administrative costs related to carrying  
7 out the duties of the aha moku advisory committee.

8 The sum appropriated shall be expended by the department of  
9 land and natural resources for the purposes of this Act.

10 SECTION 4. New statutory material is underscored.

11 SECTION 5. This Act shall take effect on July 1, 2030.





**Report Title:**

Native Hawaiians; Aha Moku Advisory Committee; Appropriations

**Description:**

Establishes aha moku advisory committee within the Department of Land and Natural Resources. Makes an appropriation. Effective July 1, 2030. (HB2806 HD2)

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

