
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 as amended by Act 39, Session Laws of Hawaii 2009.

21 The purpose of this Act is to formally recognize the aha
22 moku system and to establish the aha moku advisory committee



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



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

4 "§171- Aha moku advisory committee; established. (a)

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

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

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



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

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

6 (1) Integrating indigenous resource management practices
7 with western management practices in each moku;

8 (2) Identifying a comprehensive set of indigenous
9 practices for natural resource management;

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

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

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

17 (6) Fostering protection and conservation of the State's
18 natural resources; and

19 (7) Developing an administrative structure that oversees
20 the aha moku system.

21 (e) The aha moku advisory committee shall submit an annual
22 report in English and Hawaiian to the legislature and the



1 chairperson of the board of land and natural resources no later
2 than twenty days prior to the convening of each regular session.
3 The annual report shall include a list of all recommendations
4 made by the committee and the resulting action taken by the
5 department during the prior year."

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

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

12 SECTION 4. New statutory material is underscored.

13 SECTION 5. This Act shall take effect on July 1, 2012.



Report Title:

Native Hawaiians; Aha Moku Advisory Committee; Appropriation

Description:

Establishes aha moku advisory committee within the Department of Land and Natural Resources. Makes an appropriation. Effective July 1, 2012. (SB3053 HD1)

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