

---

---

# A BILL FOR AN ACT

RELATING TO INDIGENOUS HAWAIIAN ARCHITECTURE.

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

1           SECTION 1. The legislature finds that indigenous Hawaiian  
2 architecture is significant to Hawaiian history and culture.  
3 Quoting the nineteenth century Hawaiian historian David Malo,  
4 "[t]hree things were important for the well-being of the kanaka  
5 maoli: The canoe for travel, fishing and warfare, the 'aina for  
6 planting taro, and the hale that provided the place to rest."  
7 As a society, there is much to learn from the Hawaiian people  
8 and the wisdom of how they lived.

9           The legislature further finds that indigenous architecture  
10 continued to be built and used well into the nineteenth century,  
11 decades after Western contact. In 1998, the Maui county council  
12 established codes permitting indigenous architecture to be built  
13 using ancient techniques with the help of modern tools and  
14 materials, including mortar, synthetic cord for the lashing, and  
15 chainsaws to cut the logs. Indigenous architecture in Maui is  
16 not permitted to have electricity or generators, and the codes  
17 require the installation of automatic fire sprinklers and smoke  
18 detectors, unless the building is located at least one hundred



1 feet from any other existing structure. The charm and  
2 construction of indigenous Hawaiian architecture reinforces the  
3 openness and friendly spirit of Hawaii's people.

4 The legislature also finds that Act 222, Session Laws of  
5 Hawaii 2007, required each county to adopt ordinances "allowing  
6 the exercise of indigenous native Hawaiian architectural  
7 practices, styles, customs, techniques, and materials  
8 historically employed by native Hawaiians, in the county's  
9 building code, including but not limited to residential and  
10 other structures . . . no later than March 31, 2008." The  
11 legislature further finds that despite this requirement, there  
12 has been little progress in the application of native Hawaiian  
13 architectural practices for residential use.

14 The purpose of this Act is to authorize indigenous native  
15 Hawaiian architectural practices on Hawaiian home lands  
16 subsistence agricultural lots to be used for agricultural  
17 purposes, including subsistence farmer housing.

18 SECTION 2. The department of Hawaiian home lands shall  
19 adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to  
20 allow for indigenous native Hawaiian architectural practices on



1 subsistence agricultural lots to be used for agricultural  
2 purposes, including for use as farmer housing.

3 SECTION 3. This Act shall take effect upon its approval.

4



**Report Title:**

Indigenous Hawaiian Architecture; Hawaiian Home Lands;  
Subsistence Agriculture Lots

**Description:**

Requires the department of Hawaiian home lands to adopt rules to allow for indigenous native Hawaiian architectural practices on subsistence agricultural lots to be used for agricultural purposes, including for use as farmer housing. (SD2)

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

