
A BILL FOR AN ACT

RELATING TO HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES.

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

1 SECTION 1. (a) The department of land and natural
2 resources shall develop and implement as a pilot project, a
3 Hawaiian traditional and customary gathering practices program
4 at Makua beach on the island of Oahu and on the island of
5 Hawaii.

6 (b) For the purposes of the Hawaiian traditional and
7 customary gathering practices program under this Act, the
8 department of land and natural resources shall:

9 (1) Designate part of Makua beach and an area on Hawaii
10 island where persons may, in accordance with Hawaiian
11 traditional and customary gathering practices, plant
12 and harvest coconut trees cultivated in coconut
13 groves;

14 (2) Cordon the perimeter boundaries of areas designated
15 under paragraph (1) and post signs that the enclosed
16 area is designated for Hawaiian traditional and
17 customary gathering practices, and that coconut trees



1 cultivated within the area have not been removed for
2 maintenance purposes and may be removed only in
3 accordance with paragraph (3);

4 (3) Require that coconut trees cultivated at Makua beach
5 and on Hawaii island in areas designated under
6 paragraph (1) may be removed only by persons gathering
7 items in accordance with Hawaiian traditional and
8 customary gathering practices;

9 (4) Provide that the activities under paragraph (3) may be
10 conducted without a special permit or other form of
11 permission; and

12 (5) Require persons to indemnify the State from any claim
13 arising from any injury incurred while engaging in
14 activities under paragraph (3).

15 SECTION 2. The department of land and natural resources
16 shall submit a report to the legislature, including findings,
17 recommendations, and draft implementing legislation, on the
18 Hawaiian traditional and customary gathering practices program
19 of cultivating coconut groves under section 1 of this Act, and
20 the feasibility of operating the program in all public parks



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1 statewide, no later than twenty days prior to the convening of
2 the regular session of 2020.

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2017-2018 and
6 the same sum or so much thereof as may be necessary for fiscal
7 year 2018-2019 to establish and implement the pilot Hawaiian
8 traditional and customary gathering practices program of
9 cultivating coconut groves under this Act.

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

12 SECTION 4. This Act shall take effect on July 1, 2017.

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INTRODUCED BY: Richard Crayon

Mark Ayres
Guthrie Hietan

JAN 24 2017



H.B. NO. 1342

Report Title:

Hawaiian Gathering Practices; Public Parks; Pilot Project;
Coconut Groves; Appropriation

Description:

Establishes a pilot project at Makua beach and Hawaii island to designate areas in public parks for planting and growing coconut trees for Hawaiian traditional and customary gathering practices. Appropriates funds for the pilot project.

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