
HOUSE CONCURRENT RESOLUTION

REQUESTING THE GOVERNOR TO PROCLAIM THE SECOND SATURDAY IN
OCTOBER OF EVERY YEAR AS E HO'OLA I NA HELE DAY--GIVE LIFE
TO THE TRAILS DAY.

1 WHEREAS, prior to 1778, native Hawaiians had a highly
2 organized, self-sufficient social system based on subsistence
3 agriculture and communal land tenure that relied on an elaborate
4 trail system to access the mountains and the sea to fish,
5 gather, cultivate crops, and to communicate with neighboring
6 ahupua'a tenants; and

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8 WHEREAS, the trail system throughout the designated
9 ahupua'a played an important role in the perpetuation and
10 practice of Hawaiian culture and lifestyle and was located
11 laterally along the shorelines and mauka-makai between the
12 uplands and the sea; and

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14 WHEREAS, the safety and protection of all individuals using
15 these trails were assured through a declaration by the sixteenth
16 century O'ahu ruler, Kualii, and by the Mamalahoe law,
17 otherwise known as the "Law of the Splintered Paddle," which was
18 adopted by King Kamehameha I, the first king of Hawai'i to
19 establish a unified monarchical government of the Hawaiian
20 islands; and

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22 WHEREAS, the importance of the trail system was further
23 recognized when the Kingdom of Hawai'i passed the Highway Act of
24 1892, later codified in chapter 264, Hawai'i Revised Statutes,
25 establishing the people's right to use these trails for commerce
26 and enjoyment; and

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28 WHEREAS, article XII, section 7 of the Hawai'i State
29 Constitution; chapter 7 of the Hawai'i Revised Statutes; and the
30 Public Access Shoreline Hawai'i v. Hawai'i County Planning
31 Commission, 70 Hawai'i 246 (1991) decision, commonly referred to



1 as the PASH decision, affirmed and upheld the right of native
2 Hawaiians and the people of this State to use undeveloped land,
3 which may include certain ancient and historic trails, to
4 exercise traditional and cultural practices; and
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6 WHEREAS, a statewide trail and access system known as Na
7 Ala Hele was codified in 1998 in chapter 198D of the Hawai'i
8 Revised Statutes and a non-profit community advocacy group, E
9 Mau Na Ala Hele, established in 1979 to preserve the Hawaiian
10 trail systems, remains actively involved with the maintenance
11 and perpetuation of the State's current shoreline and mountain
12 trails; and
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14 WHEREAS, federal recognition of the State's trails took
15 place on January 24, 2000, when the United States Congress
16 designated the Ala Kahakai Trail, which runs laterally around
17 the island of Hawai'i, as a national historic trail and was
18 incorporated into the National Trails System Act (Public Law
19 106-509); and
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21 WHEREAS, historic, state, and federal recognition of native
22 trails help to ensure that native Hawaiians and all of the
23 people of the State of Hawai'i will have the right to use these
24 public trails for access, enjoyment, recreation, commerce, and
25 gathering purposes in accordance with applicable state and
26 federal laws, now, therefore,
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28 BE IT RESOLVED by the House of Representatives of the
29 Twenty-fourth Legislature of the State of Hawaii, Regular
30 Session of 2007, the Senate concurring, that the Governor is
31 requested to commemorate the Highway Act of 1892 by recognizing
32 and proclaiming the second Saturday of October of every year as
33 E Ho'ola I Na Hele Day--Give Life to the Trails Day; and
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35 BE IT FURTHER RESOLVED that these historic and vital
36 statewide trails be recognized and commemorated in perpetuity;
37 and
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1 BE IT FURTHER RESOLVED that certified copies of this
 2 Concurrent Resolution be transmitted to the Governor, Hawai'i's
 3 congressional delegation, and to the Mayor and the Chairperson
 4 of the Council of each county.
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OFFERED BY:

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