
A BILL FOR AN ACT

RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT.

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

1 SECTION 1. The purpose of this Act is to ensure native
2 Hawaiian representation on the commission on water resource
3 management. The people of the State of Hawaii acknowledged an
4 obligation to the indigenous people of Hawaii by ratifying the
5 1978 constitutional amendment that compelled the creation of the
6 office of Hawaiian affairs. Subsequently, Act 196, Session Laws
7 of Hawaii 1979, formally created the office of Hawaiian affairs.
8 In establishing the office of Hawaiian affairs, the legislature
9 specified six purposes of the office. One of the purposes
10 empowered the office to:

11 "...Serv[e] as the principal public agency in this
12 State responsible for the performance, development,
13 and coordination of programs and activities relating
14 to native Hawaiians and Hawaiians;...."

15 Section 10-3(3), Hawaii Revised Statutes.

16 The legislature also directed in section 10-13.5, Hawaii
17 Revised Statutes, that: "Twenty per cent of all funds derived



1 from the public land trust...shall be expended by the office"
2 for the betterment of the conditions of native Hawaiians.

3 The public land trust makes up more than ninety-four per
4 cent of all state lands. The sound and prudent management of all
5 state lands and coastal resources is of critical importance to
6 native Hawaiians both as a revenue source for their self-
7 determination and for the preservation of their cultural and
8 religious practices. The State's decisions concerning water use
9 directly affect native Hawaiians. The office of Hawaiian
10 affairs, as the agency charged with the betterment of the
11 conditions of native Hawaiians, needs to contribute to the
12 State's stewardship over these resources. Such a role furthers
13 the original legislative intent mandated in 1979 through section
14 10-3, Hawaii Revised Statutes.

15 This Act requires the governor to appoint one member of the
16 commission on water resource management, which directly affects
17 the management of precious native resources, from a list of
18 three nominees submitted by the office of Hawaiian affairs.

19 SECTION 2. Section 174C-7, Hawaii Revised Statutes, is
20 amended by amending subsection (d) to read as follows:

21 "(d) In appointing a member to the commission, the
22 governor shall select from a list submitted by a nominating



1 committee[-]; provided, however, that at least one of the
 2 members shall be appointed from, and any vacancy in that
 3 member's place on the commission shall be filled from, a list of
 4 at least three nominees submitted by the office of Hawaiian
 5 affairs. The nominating committee shall be composed of four
 6 individuals chosen as follows: two persons appointed by the
 7 governor; one person appointed by the president of the senate;
 8 and one person appointed by the speaker of the house. The
 9 committee shall solicit applications and send to the governor
 10 the names of at least three individuals for each open position."

11 SECTION 3. This Act shall apply to the commission on water
 12 resource management upon its next vacancy.

13 SECTION 4. New statutory material is underscored.

14 SECTION 5. This Act shall take effect upon its approval.

15 INTRODUCED BY: Calvin K. H. Aoy

BY REQUEST
 JAN 22 2007

Report Title:

Commission on Water Resource Management

Description:

Requires the governor to appoint at least one member of the commission on water resource management from a list of three nominees submitted by the office of Hawaiian affairs

