

JAN 19 2018

---

# A BILL FOR AN ACT

---

RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL.

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

1       SECTION 1. The legislature finds that an understanding of  
2 the scope of Hawai'ian shoreline public access rights law in the  
3 State of Hawai'i is critical to the fair and even-handed  
4 application of relevant law by the legal staff of the department  
5 of the attorney general.

6       Further, the executive departments, boards, and commissions  
7 are obligated to properly apply the law of the State of Hawai'i,  
8 including shoreline public access rights, on matters relevant to  
9 their executive and administrative decision making. Therefore,  
10 it is desirable for the State of Hawai'i to provide such legal  
11 advice utilizing deputy attorneys general with the appropriate  
12 educational background and training in the Hawai'ian language and  
13 Hawai'ian culture.

14       SECTION 2. There is established in the department of the  
15 attorney general a division dedicated exclusively to providing  
16 legal advice to the governor, executive departments, boards and



1 commissions, and the legislature, or its members, regarding  
2 Hawai'ian shoreline public access rights.

3 SECTION 3. The division established pursuant to section 2  
4 shall have a staff of at least three deputy attorneys general  
5 with at least four years of formal education in the Hawai'ian  
6 language and Hawai'ian culture. The division shall also have one  
7 or more staff members who have at least a baccalaureate degree  
8 in Hawai'ian studies, Hawai'ian history, or the equivalent to  
9 assist the division's attorneys.

10 SECTION 4. Beginning with the 2019-2020 fiscal year, the  
11 department of attorney general shall request as a separate line  
12 item in the budget the sum of \$400,000 or so much thereof as may  
13 be necessary to fund the annual operating costs of the division  
14 established pursuant to section 2.

15 SECTION 5. For purposes of this Act, the term "Hawai'ian  
16 shoreline public access rights" shall include the traditional  
17 Hawai'ian rights to gather firewood, house timber, aho cord,  
18 thatch, and ki leaf; to access drinking water and running water;  
19 to have right of way to the ocean and shoreline; any other such  
20 rights so recognized; and any related or similar rights.

21



1 SECTION 6. This Act shall take effect upon its approval.

2

INTRODUCED BY:

Thomas V. D. J.

[Signature]

b

Ignacio J. Flores

[Signature]

[Signature]

[Signature]

Michelle Frobini



# S.B. NO. 2315

**Report Title:**

Department of the Attorney General; Hawaiian Shoreline Public Access Rights

**Description:**

Creates a division within the Department of the Attorney General to provide legal advice regarding Hawaiian shoreline public access rights.

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

