

JAN 20 2017

A BILL FOR AN ACT

RELATING TO THE AHA MOKU ADVISORY COMMITTEE.

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

1 SECTION 1. The legislature finds that over the past two
2 hundred years, Hawaii has experienced extensive changes,
3 including the deterioration of the Hawaiian culture, language,
4 values, and land tenure system, which have, in part, resulted in
5 the over-development of the coastline, alteration of fresh water
6 streams, destruction of life-giving watersheds, decimation of
7 the coral reefs, and decline of endemic marine and terrestrial
8 species. As a result, in 2012, the legislature passed Act 288,
9 Session Laws of Hawaii 2012, which established the aha moku
10 advisory committee within the department of land and natural
11 resources for administrative purposes. Act 288 formally
12 recognizes the aha moku system, a traditional system of best
13 practices of ahupua'a, regional site-specific geographic areas,
14 that acknowledges the natural contours of land, natural
15 resources located within those areas, and methodology necessary
16 to sustain resources and the community. The role of the aha
17 moku advisory committee is to advise the chairperson of the



1 board of land and natural resources regarding the aha moku
2 system, on issues related to land and natural resources.

3 The legislature further finds that the aha moku advisory
4 committee has continued to fulfill its mission by working with
5 the eight main Hawaiian islands, which encompass forty-six
6 traditional moku, of which six hundred nine ahupua'a are listed.
7 Since 2012, the aha moku advisory committee has documented its
8 accomplishments in a report to the legislature and included
9 recommendations from all of the main Hawaiian islands.
10 Additionally, the reports list resource issues that came before
11 the department of land and natural resources divisions relating
12 to the aha moku system. Most of these issues were mitigated
13 within the department of land and natural resources at a
14 divisional level to the satisfaction of the inquiring
15 communities.

16 The success of the aha moku system also brings forth the
17 voices of the public trust, including native Hawaiians, to the
18 department of land and natural resources in regard to natural
19 and cultural resources, distinct environments, and specific
20 ecosystems independently of government influence. This autonomy
21 of being attached to, but not being under the jurisdiction of,



S.B. NO. 351

1 the department of land and natural resources ensures a
2 collaborative rapport between the aha moku advisory committee
3 and the department of land and natural resources, its divisions,
4 and the board of land and natural resources.

5 The legislature further finds that although Act 288,
6 Session Laws of Hawaii 2012, included funding for the aha moku
7 advisory committee, the funds were never released. As a result,
8 it has been difficult for the aha moku advisory committee to
9 continue to fulfill its mission and duties.

10 The purpose of this Act is to:

- 11 (1) Amend various provisions related to the aha moku
12 advisory committee, including oversight designation,
13 reimbursement expenses, and budgetary requirements;
14 and
- 15 (2) Appropriate funds for the aha moku advisory committee
16 to continue to perform its duties, including, among
17 other things, advising the chairperson of the board of
18 land and natural resources regarding the aha moku
19 system.

20 SECTION 2. Section 171-4.5, Hawaii Revised Statutes, is
21 amended to read as follows:



1 " ~~[H]~~ §171-4.5 ~~[H]~~ Aha moku advisory committee; established.

2 (a) There is established the aha moku advisory committee to be
3 placed within the department of land and natural resources for
4 administrative purposes. The committee may advise the
5 chairperson of the board of land and natural resources in
6 carrying out the purposes of this section.

7 (b) The committee shall consist of eight members appointed
8 by the governor and confirmed by the senate from a list of
9 nominations submitted by the aha moku ~~[councils]~~ of each island.
10 ~~[Oversight of the aha moku advisory committee shall be by the~~
11 ~~chairperson of the board of land and natural resources.]~~ The
12 committee members shall select the committee chairperson from
13 among the members.

14 (c) The members shall not receive compensation for their
15 service, but shall be reimbursed for necessary expenses,
16 including travel expenses ~~[7]~~ and native Hawaiian protocol
17 expenses, incurred while participating in meetings and events
18 ~~[approved in advance by the chairperson of the board of land and~~
19 ~~natural resources]~~.

20 The aha moku advisory committee may hire an executive
21 director who shall be exempt from chapter 76. The executive



1 director may hire an administrative or executive assistant to
2 assist the executive director in accomplishing the purposes of
3 the aha moku advisory committee.

4 (d) The aha moku advisory committee may provide advice on
5 the following:

- 6 (1) Integrating indigenous resource management practices
7 with western management practices in each moku;
- 8 (2) Identifying a comprehensive set of indigenous
9 practices for natural resource management;
- 10 (3) Fostering the understanding and practical use of
11 native Hawaiian resource knowledge, methodology, and
12 expertise;
- 13 (4) Sustaining the State's marine, land, cultural,
14 agricultural, and natural resources;
- 15 (5) Providing community education and fostering cultural
16 awareness on the benefits of the aha moku system;
- 17 (6) Fostering protection and conservation of the State's
18 natural resources; and
- 19 (7) Developing an administrative structure that oversees
20 the aha moku system.



1 (e) The committee shall submit an annual report in English
2 and Hawaiian to the legislature and the chairperson of the board
3 of land and natural resources no later than twenty days prior to
4 the convening of each regular legislative session. The annual
5 report shall include a list of all recommendations made by the
6 committee and the resulting action taken by the department over
7 the course of the prior year.

8 (f) The budgetary requirements for conducting meetings and
9 other related functions of the state aha moku system and aha
10 moku advisory committee, including the salaries of the executive
11 director and administrative assistant, shall be included in the
12 budget of the department of land and natural resources. The
13 department shall provide administrative support to the aha moku
14 advisory committee. If appropriate, federal moneys and other
15 moneys that become available to the department may be used to
16 offset administrative costs incurred by the department for the
17 purposes of this subsection."

18 SECTION 3. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$250,000 or so much
20 thereof as may be necessary for fiscal year 2017-2018 and the
21 same sum or so much thereof as may be necessary for fiscal year



S.B. NO. 351

1 2018-2019 for the administrative costs related to carrying out
 2 the duties of the aha moku advisory committee pursuant to
 3 section 171-4.5, Hawaii Revised Statutes.

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

6 SECTION 4. Statutory material to be repealed is bracketed
 7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect on July 1, 2017.

9

INTRODUCED BY: Mike Gabban
 Clarence A. Mikihiro
Spencer J. Brown
~~Don~~ DC Scott-Allen
 Anne M. ...
He ...
 Breene ...
Michelle D. ...

S.B. NO. 351

Report Title:

Aha Moku Advisory Committee; Budget; Appropriation

Description:

Amends various provisions related to the aha moku advisory committee, including oversight designation, reimbursement expenses, and budgetary requirements. Appropriates funds to support the mission of the aha moku advisory committee.

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

