
HOUSE CONCURRENT RESOLUTION

URGING THE 'AHA MOKU ADVISORY COMMITTEE TO FOLLOW ITS ADOPTED RULES OF PRACTICE, FULFILL ITS STATUTORY DUTIES, INCLUDING COMPLYING WITH THE SUNSHINE LAW, CONDUCT A PERFORMANCE REVIEW OF ITS EXECUTIVE DIRECTOR, AND ESTABLISH POLICIES TO ASSURE CONSISTENT STANDARDS OF ADMINISTRATIVE AND MANAGERIAL ACCOUNTABILITY.

1 WHEREAS, in August 2006, Native Hawaiian cultural
2 practitioners, kūpuna, and representatives from forty-three moku
3 across the State gathered at Puwalu 'Ekahi to share manao and
4 call for a process to uphold and perpetuate traditional Hawaiian
5 land and ocean practices; and

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7 WHEREAS, subsequent gatherings known as Puwalu 'Elua and
8 Puwalu 'Ekolu, held in November and December 2006, convened
9 educators, policymakers, cultural practitioners, environmental
10 experts, and community leaders to discuss the integration of
11 traditional Hawaiian knowledge and management practices into
12 public policy, education, and resource management; and

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14 WHEREAS, additional puwalu convened between 2006 and 2010
15 gathered input from farmers, fishers, environmental advocates,
16 educators, Native Hawaiian organizations, agencies, and
17 governmental representatives, resulting in consensus on the need
18 to integrate the traditional 'aha moku system into state
19 governance and resource management policy; and

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21 WHEREAS, the Legislature enacted Act 288, Session Laws of
22 Hawaii 2012, establishing the 'Aha Moku Advisory Committee and
23 administratively attaching it to the Department of Land and
24 Natural Resources to advise the State on Native Hawaiian
25 traditional and customary resource management practices; and
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1 WHEREAS, the 'Aha Moku Advisory Committee appears to have
2 held meetings in 2013 and 2014 addressing organizational
3 development, funding, communications, and the development of a
4 strategic plan and reporting framework; and

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6 WHEREAS, on October 20, 2016, the 'Aha Moku Advisory
7 Committee reportedly adopted Rules of Practice and Procedure to
8 govern its operations; and

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10 WHEREAS, a resolution adopted at the November 2016 puwalu
11 gathering referenced the adoption of those Rules of Practice and
12 Procedure and expressed support for adherence to them; and

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14 WHEREAS, a resolution adopted at the 2017 puwalu gathering
15 expressed concerns regarding whether the 'Aha Moku Advisory
16 Committee provided the representation required under existing
17 law; and

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19 WHEREAS, the 'Aha Moku Advisory Committee receives annual
20 state funding of approximately \$286,300 through the Department
21 of Land and Natural Resources and is subject to public
22 accountability and transparency standards; and

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24 WHEREAS, as a public advisory committee, the 'Aha Moku
25 Advisory Committee is subject to the Sunshine Law, which
26 requires deliberations and decision-making to occur in properly
27 noticed public meetings; and

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29 WHEREAS, independent 'aha moku island councils and community
30 groups exist separately from the statutorily established 'Aha
31 Moku Advisory Committee and are not the subject of this measure;
32 and

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34 WHEREAS, concerns have been raised within the Native
35 Hawaiian community regarding the administration, representation,
36 and transparency of the 'Aha Moku Advisory Committee; and

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38 WHEREAS, the 'Aha Moku Advisory Committee has not
39 consistently convened publicly noticed meetings, raising
40 concerns regarding compliance with the Sunshine Law; and

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1 WHEREAS, the Executive Director of the 'Aha Moku Advisory
2 Committee has acknowledged that the Committee does not follow
3 the Rules of Practice reportedly adopted on October 20, 2016;
4 and

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6 WHEREAS, there is no publicly available record indicating
7 that the 'Aha Moku Advisory Committee has repealed, amended, or
8 formally discontinued those Rules of Practice; and

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10 WHEREAS, the absence of publicly available agendas,
11 minutes, reports, and other administrative records has limited
12 transparency and hindered public participation and oversight;
13 and

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15 WHEREAS, although the 'Aha Moku Advisory Committee employs
16 an Executive Director, the lack of regular meetings,
17 administrative records, budgetary accounting, and statutorily
18 required reports raises concerns regarding oversight,
19 governance, and accountability; and

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21 WHEREAS, because the 'Aha Moku Advisory Committee has not
22 convened a publicly noticed meeting for more than five years,
23 there is no apparent mechanism for the Advisory Committee to
24 manage or evaluate its Executive Director, including performance
25 reviews, duties, or salary and budgetary decisions; and

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27 WHEREAS, advisory positions have been issued in the name of
28 the 'Aha Moku Advisory Committee without those matters being
29 properly agendized, deliberated, and adopted at Sunshine
30 Law-compliant meetings; and

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32 WHEREAS, consistent administrative and managerial policies
33 are necessary to ensure accountability, effective oversight, and
34 responsible stewardship of public resources; now, therefore,

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36 BE IT RESOLVED by the House of Representatives of the
37 Thirty-third Legislature of the State of Hawaii, Regular Session
38 of 2026, the Senate concurring, that the 'Aha Moku Advisory
39 Committee is urged to follow and implement the Rules of Practice
40 and Procedures reportedly adopted on October 20, 2016; and
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1 BE IT FURTHER RESOLVED that the 'Aha Moku Advisory Committee
 2 is urged to fulfill all statutory duties, including complying
 3 with the Sunshine Law, holding regular meetings, ensuring
 4 transparency in decision-making, providing appropriate oversight
 5 of the Executive Director, and submitting required reports in a
 6 timely manner; and

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 8 BE IT FURTHER RESOLVED that advisory positions issued in
 9 the name of the 'Aha Moku Advisory Committee be adopted only
 10 through properly noticed public meetings in compliance with the
 11 Sunshine Law; and

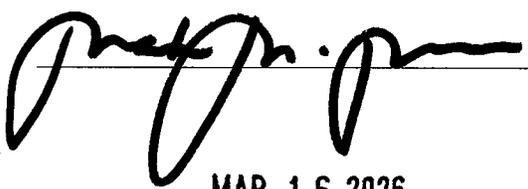
12
 13 BE IT FURTHER RESOLVED that the 'Aha Moku Advisory Committee
 14 is urged to conduct a formal performance review of its Executive
 15 Director and to convene an open and properly noticed meeting to
 16 evaluate legal and administrative risks facing the Advisory
 17 Committee, including compliance with the Sunshine Law, statutory
 18 reporting requirements, and fiscal accountability; and

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 20 BE IT FURTHER RESOLVED that the 'Aha Moku Advisory Committee
 21 is urged to adopt appropriate administrative and managerial
 22 policies and procedures to promote consistent standards of
 23 accountability and effective governance; and

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 25 BE IT FURTHER RESOLVED that the Chairperson of the Board of
 26 Land and Natural Resources is requested to exercise oversight to
 27 ensure that the 'Aha Moku Advisory Committee fulfills its
 28 mandated purpose and operates in compliance with the Sunshine
 29 Law and other applicable legal requirements; and

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 31 BE IT FURTHER RESOLVED that certified copies of this
 32 Concurrent Resolution be transmitted to the Chairperson of the
 33 Board of Land and Natural Resources; Executive Director of the
 34 'Aha Moku Advisory Committee; and each member of the 'Aha Moku
 35 Advisory Committee.

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OFFERED BY: 
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