
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; AND REQUESTING THE OFFICE OF THE AUDITOR TO CONDUCT A COMPREHENSIVE PERFORMANCE AND FINANCIAL AUDIT OF THE 'AHA MOKU ADVISORY COMMITTEE.

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



1 Natural Resources to advise the State on Native Hawaiian
2 traditional and customary resource management practices; and
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4 WHEREAS, the 'Aha Moku Advisory Committee appears to have
5 held meetings in 2013 and 2014 addressing organizational
6 development, funding, communications, and the development of a
7 strategic plan and reporting framework; and
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9 WHEREAS, on October 20, 2016, the 'Aha Moku Advisory
10 Committee reportedly adopted Rules of Practice and Procedure to
11 govern its operations; and
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13 WHEREAS, a resolution adopted at the November 2016 puwalu
14 gathering referenced the adoption of those Rules of Practice and
15 Procedure and expressed support for adherence to them; and
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17 WHEREAS, a resolution adopted at the 2017 puwalu gathering
18 expressed concerns regarding whether the 'Aha Moku Advisory
19 Committee provided the representation required under existing
20 law; and
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22 WHEREAS, the 'Aha Moku Advisory Committee receives annual
23 state funding of approximately \$286,300 through the Department
24 of Land and Natural Resources and is subject to public
25 accountability and transparency standards; and
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27 WHEREAS, as a public advisory committee, the 'Aha Moku
28 Advisory Committee is subject to the Sunshine Law, which
29 requires deliberations and decision-making to occur in properly
30 noticed public meetings; and
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32 WHEREAS, independent 'aha moku island councils and community
33 groups exist separately from the statutorily established 'Aha
34 Moku Advisory Committee and are not the subject of this measure;
35 and
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37 WHEREAS, concerns have been raised within the Native
38 Hawaiian community regarding the administration, representation,
39 and transparency of the 'Aha Moku Advisory Committee; and
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1 WHEREAS, the 'Aha Moku Advisory Committee has not
2 consistently convened publicly noticed meetings, raising
3 concerns regarding compliance with the Sunshine Law; and
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5 WHEREAS, the Executive Director of the 'Aha Moku Advisory
6 Committee has acknowledged that the Committee does not follow
7 the Rules of Practice reportedly adopted on October 20, 2016;
8 and
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10 WHEREAS, there is no publicly available record indicating
11 that the 'Aha Moku Advisory Committee has repealed, amended, or
12 formally discontinued those Rules of Practice; and
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14 WHEREAS, the absence of publicly available agendas,
15 minutes, reports, and other administrative records has limited
16 transparency and hindered public participation and oversight;
17 and
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19 WHEREAS, although the 'Aha Moku Advisory Committee employs
20 an Executive Director, the lack of regular meetings,
21 administrative records, budgetary accounting, and statutorily
22 required reports raises concerns regarding oversight,
23 governance, and accountability; and
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25 WHEREAS, because the 'Aha Moku Advisory Committee has not
26 convened a publicly noticed meeting for more than five years,
27 there is no apparent mechanism for the Advisory Committee to
28 manage or evaluate its Executive Director, including performance
29 reviews, duties, or salary and budgetary decisions; and
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31 WHEREAS, questions have arisen regarding how the 'Aha Moku
32 Advisory Committee is able to issue official positions,
33 effectively manage and make salary decisions for their Executive
34 Director, and review, monitor, and approve budgets and reports
35 to the Legislature, without formally discussing and adopting
36 positions and decisions in open meetings; and
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38 WHEREAS, advisory positions have been issued in the name of
39 the 'Aha Moku Advisory Committee without those matters being
40 properly agendized, deliberated, and adopted at Sunshine
41 Law-compliant meetings; and



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2 WHEREAS, consistent administrative and managerial policies
3 are necessary to ensure accountability, effective oversight, and
4 responsible stewardship of public resources; and
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6 WHEREAS, a comprehensive and independent review is
7 necessary to ensure that the operations of the 'Aha Moku Advisory
8 Committee align with statutory requirements, best practices in
9 governance, fiscal prudence, and the public trust; now,
10 therefore,
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12 BE IT RESOLVED by the House of Representatives of the
13 Thirty-third Legislature of the State of Hawaii, Regular Session
14 of 2026, the Senate concurring, that the 'Aha Moku Advisory
15 Committee is urged to follow and implement the Rules of Practice
16 and Procedures reportedly adopted on October 20, 2016; and
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18 BE IT FURTHER RESOLVED that the 'Aha Moku Advisory Committee
19 is urged to fulfill all statutory duties, including complying
20 with the Sunshine Law, holding regular meetings, ensuring
21 transparency in decision-making, providing appropriate oversight
22 of the Executive Director, and submitting required reports in a
23 timely manner; and
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25 BE IT FURTHER RESOLVED that advisory positions issued in
26 the name of the 'Aha Moku Advisory Committee be adopted only
27 through properly noticed public meetings in compliance with the
28 Sunshine Law; and
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30 BE IT FURTHER RESOLVED that the 'Aha Moku Advisory Committee
31 is urged to conduct a formal performance review of its Executive
32 Director and to convene an open and properly noticed meeting to
33 evaluate legal and administrative risks facing the Advisory
34 Committee, including compliance with the Sunshine Law, statutory
35 reporting requirements, and fiscal accountability; and
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37 BE IT FURTHER RESOLVED that the 'Aha Moku Advisory Committee
38 is urged to adopt appropriate administrative and managerial
39 policies and procedures to promote consistent standards of
40 accountability and effective governance; and
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1 BE IT FURTHER RESOLVED that the Chairperson of the Board of
2 Land and Natural Resources is requested to exercise oversight to
3 ensure that the 'Aha Moku Advisory Committee fulfills its
4 mandated purpose and operates in compliance with the Sunshine
5 Law and other applicable legal requirements; and

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7 BE IT FURTHER RESOLVED that the Office of the Auditor is
8 requested to conduct a comprehensive performance and financial
9 audit of the 'Aha Moku Advisory Committee; and

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11 BE IT FURTHER RESOLVED that the Auditor is requested to
12 submit a report of its findings and recommendations, including
13 any proposed legislation, to the Legislature no later than
14 twenty days prior to the convening of the Regular Session of
15 2027; and

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17 BE IT FURTHER RESOLVED that certified copies of this
18 Concurrent Resolution be transmitted to the Chairperson of the
19 Board of Land and Natural Resources; Executive Director of the
20 'Aha Moku Advisory Committee; each member of the 'Aha Moku
21 Advisory Committee; and Auditor.

