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 Hawaiian representation on the commission on water resource 2 3 management. The people of the State of Hawaii acknowledged an obligation to the indigenous people of Hawaii by ratifying the 4 5 1978 constitutional amendment that compelled the creation of the office of Hawaiian affairs. Subsequently, Act 196, Session Laws 6 of Hawaii 1979, formally created the office of Hawaiian affairs. 7 In establishing the office of Hawaiian affairs, the legislature 8 specified six purposes of the office. One of the purposes 9 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;...." Section 10-3(3), Hawaii Revised Statutes. 15 The legislature also directed in section 10-13.5, Hawaii 16 Revised Statutes, that: "Twenty per cent of all funds derived 17
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- 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:
- "(d) In appointing a member to the commission, the
- 22 governor shall select from a list submitted by a nominating



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

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INTRODUCED BY:



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