COUNTY OF HAWAI'I STATE OF HAWAI'I

RESOLUTION NO. 161 04
(Draft 3)

A RESOLUTION ACKNOWLEDGING AND RECOGNIZING THE SECOND SATURDAY OF OCTOBER AS "LĀ HO'ĀLA ALA HELE" DAY ("TRAIL REVITALIZATION" DAY).

WHEREAS, prior to 1778, the native Hawaiian people lived in a highly organized, self-sufficient, social system based on subsistence agriculture and communal land tenure with a language known for its simple, melodious expressions and an environmentally conscious culture that was reflected in religious practices;

WHEREAS, their trail systems were a vital means of sustaining and linking native Hawaiian communities; and

WHEREAS, native Hawaiian ahupua'a tenants needed access to the mountains and sea along shorelines in order to fish, gather, cultivate crops, and communicate with neighboring ahupua'a tenants; therefore, trails play an important role in the perpetuation and practice of the Hawaiian culture and lifestyle; and

WHEREAS, trails ran laterally along the shoreline around the island of Hawai'i, and the "mauka" – "makai" trails ran between the uplands and the sea; and

WHEREAS, on or about 1785, Māmala-hoe Kanawai ("Law of the Splintered Paddle") was adopted by Kamehameha I, which assured the safety and protection of all individuals using the trails and continues as a vital part of our constitution; and

WHEREAS, in 1978 in Article XIIII, Section 10 of the State Constitution, the law of the splintered paddle, Māmala-hoe Kanawai, decreed by Kamehameha I and the people —Let every elderly person, woman and child lie by the roadside in safety—shall be a unique and living symbol of the State's concern for public safety; and

WHEREAS, a unified monarchial government of the Hawaiian Islands was established in 1810 under Kamehameha I, the first King of Hawai'i; and

WHEREAS, on October 15, 1892, the Kingdom of Hawai'i passed the Highways Act of 1892 acknowledging the people's perpetual right to use the trails for commerce and public enjoyment; and

WHEREAS, although Queen Lili'uokalani yielded her power to the United States in 1893 after the passage of the Highways Act of 1892 (Section 264-1(b), Hawaii Revised Statutes), said Act remains the "Law of the Land" today; and

WHEREAS, in 1988, Chapter 198D, Hawai'i Revised Statutes, was adopted to establish a statewide trail and access program known as Nā Ala Hele; and

WHEREAS, in 1979, E Mau Nā Ala Hele, a non-profit, community advocacy group, was established to recognize and protect the public trail systems and is actively involved with the maintenance and perpetuation of the Ala Kahakai trail; and

WHEREAS, in November 2000, President William J. Clinton signed into law S. 700, the "Ala Kahakai National Historic Trail Act (Public Law 106-509), which designated the Ala Kahakai as a National Historic Trail; and

WHEREAS, all people of the State of Hawai'i have the right to use these public trails for access, enjoyment, recreation, and commerce, in accordance with state and county laws.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I that it acknowledges and recognizes the second Saturday of October as the day to commemorate the Highways Act of 1892, and that it designates this day as "La Ho'ala Ala Hele" Day.

BE IT FINALLY RESOLVED that the County Clerk transmit copies of this resolution to the Honorable Mayor Harry Kim; the Honorable Daniel Inouye, U.S. Senator; the Honorable Daniel Akaka, U.S. Senator; the Honorable Neil Abercrombie, U.S. Representative; the Honorable Ed Case, U.S. Representative; the Honorable Governor Linda Lingle; the Honorable Dain P. Kane, HSAC President; Betsy Morrigan, E Mau Nā Ala Hele and Peter Young, DLNR.

Dated at Hilo, Hawaii, this 21st day of April, 2004.

INTRODUCED BY:

Bob Jacobson JJ

COUNCIL MEMBER, COUNTY OF HAWAI'I

COUNTY COUNCIL
County of Hawai'i
Hilo, Hawai'i

I hereby certify that the foregoing RESOLUTION was by The vote indicated to the right hereof adopted by the COUNCIL of the County of Hawai'i on April 21, 2004.

ATTEST:

COUNTY CLERK CHAIRMAN & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
ARAKAKI	X			
CHUNG	X			
ELARIONOFF	X			
HOLSCHUH	X			
JACOBSON	X			
REYNOLDS	X			
SAFARIK	X			
TULANG	X			
TYLER	X			
	9	0	0	0

Reference: C-520.4

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