

STAND. COM. REP. NO.

1877

Honolulu, Hawaii

APR 20 2007

RE: GOV. MSG. NOS. 618,
703

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred Governor's Message Nos. 618 and 703, submitting for study and consideration the nominations of:

LAND USE COMMISSION

G.M. No. 618 HOWARD H. HAMAMOTO,
for a term to expire 6-30-2010; and

G.M. No. 703 VLADIMIR PAUL DEVENS,
for a term to expire 6-30-2011,

begs leave to report as follows:

Your Committee reviewed the personal histories, resumes, and statements submitted by the nominees, and finds Howard H. Hamamoto and Vladimir Paul Devens to have the necessary qualifications to be nominated to the Land Use Commission.

Testimony in opposition to Howard H. Hamamoto's nomination was submitted by the Sierra Club, Hawaii Chapter.

Your Committee notes that the Sierra Club's concerns indicated in its submitted testimony in opposition to Mr. Hamamoto's nomination related to the membership criteria of Land Use Commission, and not Mr. Hamamoto's qualifications. Your Committee notes that under section 205-1, Hawaii Revised Statutes, the only noted membership criteria other than county and at-large appointments is that at least one member shall have substantial experience or expertise in traditional Hawaiian land usage and

2007-2923 GM SSCR SMA.doc



knowledge of cultural land practices. Your Committee believes that further membership criteria and qualifications, such as the biological sciences, need to be legislatively established to ensure a broader and more qualified representation on the Land Use Commission, and intends to support the introduction of legislation during the 2008 Regular Session when two more member positions will need to be appointed.

Mr. Hamamoto received his Bachelor in Business Administration from the University of Hawaii and served in the United States Air Force, earning the rank of Lieutenant. He has extensive professional experience in real estate development, management, and investment. After nine years at Bank of Hawaii in commercial and real estate lending, he spent twenty years with AmFac Properties where he served as its President. During his tenure at AmFac Properties, he managed the extensive land holdings and carried other responsibilities, including strategic long range planning for the conversion of agricultural zoned lands into urban zoned lands. He also worked with the community and government agencies to obtain the appropriate approvals and permits. His real estate development experience includes residential apartments and condominiums, resort shopping centers, single-family residential subdivisions, light industrial subdivisions, warehouses, golf courses and clubhouses, and office buildings. Currently, Mr. Hamamoto is in real estate development and investment where he is involved in the acquisition of and investment in operating companies.

Mr. Hamamoto also extensively participates in community activities, including serving as the Chairperson of the Crown Prince Akihito Scholarship Foundation, a Director of the Japan-America Society of Hawaii, a Trustee and President of Maunalani Foundation Nursing Center, and a Member of the Distribution Committee of the Frear Eleemosynary Trust. He indicated to your Committee that he is committed to serving the Land Use Commission to the best of his abilities and is looking forward to assisting in and balancing the various issues that come before the Commission. Mr. Hamamoto's wealth of real estate knowledge and professional experience will prove to be an invaluable asset for the Land Use Commission.

Testimony in support of Vladimir Paul Devens' nomination was submitted by the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; the State of Hawaii Organization of Police



Officers (SHOPO); the Hawaii Fire Fighters Association; and forty-eight individuals.

Mr. Devens received his Bachelor of Arts in Economics and graduated magna cum laude, Phi Beta Kappa from the University of California at Berkeley. He also received his Doctorate of Jurisprudence from the University of California Boalt Hall School of Law where he was the Associate Editor of the Industrial Relations Law Journal. He is a currently a Partner at Winer Meheula and Devens, LLP, where he practices in the areas of labor relations, personal injury, products liability, worker's compensation, construction, commercial and insurance litigation, and alternative dispute resolution. He previously served as an Associate at Ikazaki, Devens, Lo, Youth and Nakano and was also a Police Officer with the Honolulu Police Department where he was nominated for Officer of the Year. He is a member of the Hawaii State Bar Association, the American Bar Association, an Arbitrator of the Court Annexed Arbitration Program, and an AYSO Soccer, KAC Baseball, and Girls Softball Coach.

Mr. Devens indicated to your Committee that although his practice of law does not focus on land use, he does possess the knowledge and desire to learn more about land use. He believes that it is good practice to allow parties from each side of an issue an opportunity to be heard in order for the Commission to have a solid and broad understanding of the issue at hand. Furthermore, he believes in balancing the many facets of land use, including sensitivity towards Native Hawaiian rights and the protection of agricultural land pursuant to the State Constitution. Mr. Devens's demonstrated commitment, academic achievements, and professional background will prove to be an invaluable asset for the Land Use Commission.

As affirmed by the records of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.



Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Agriculture, and Hawaiian
Affairs,



RUSSELL S. KOKUBUN, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

**Record of Votes of the
 Committee on Water, Land, Agriculture, and Hawaiian Affairs
 WAH
 (Advise and Consent)**

Governor's Message No.:* GM 618	Committee Referral: WAH	Date: 4/16/07
---	-----------------------------------	-------------------------

The Committee is reconsidering its decision.

The Recommendation is to:

Advise and Consent (2340) Not Advise and Consent (2345)

Members	Aye	Aye (WR)	Nay	Excused
KOKUBUN, RUSSELL S. (C)	X			
TOKUDA, JILL N. (VC)	X			
FUKUNAGA, CAROL	X			
HEE, CLAYTON	X			
SLOM, SAM	X			
TOTAL	6	0	0	0

Recommendation: Adopted Not Adopted

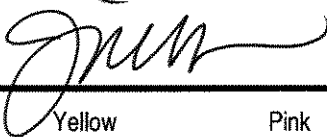
Chair's or Designee's Signature: 

Distribution: Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one Governor's Message per Record of Votes

The Senate
 Twenty-Fourth Legislature
 State of Hawaii

**Record of Votes of the
 Committee on Water, Land, Agriculture, and Hawaiian Affairs
 WAH
 (Advise and Consent)**

Governor's Message No.:* GM 703	Committee Referral: WAH	Date: 4/16/07		
<input type="checkbox"/> The Committee is reconsidering its decision.				
The Recommendation is to:				
<input checked="" type="checkbox"/> Advise and Consent (2340) <input type="checkbox"/> Not Advise and Consent (2345)				
Members	Aye	Aye (WR)	Nay	Excused
KOKUBUN, RUSSELL S. (C)	X			
TOKUDA, JILL N. (VC)	X			
FUKUNAGA, CAROL	X			
HEE, CLAYTON	X			
SLOM, SAM	X			
TOTAL	5	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one Governor's Message per Record of Votes