

STAND. COM. REP. NO.

3009

Honolulu, Hawaii

MAR 23 2012

RE: H.B. No. 1730  
H.D. 2  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Water, Land, and Housing, to which was referred H.B. No. 1730, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit any member of the Land Use Commission from voting on a matter before the Commission if the member has a conflict of interest.

Your Committee received comments on this measure from the Land Use Commission.

Your Committee finds that the State Ethics Code applies to Land Use Commission members, who are appointed state officials. Recently, some issues have come before the Commission where certain members' conflicts of interest have come into question. Existing rules could not clarify whether a conflict existed and the issue remains unanswered. To prevent any further occurrences, the Land Use Commission must more adequately specify its process for determining whether a conflict of interest exists.

Accordingly, your Committee has amended this measure by:


- (1) Providing language that requires the Land Use Commission to amend its rules to clarify its conflict of interest practices;



- (2) Deleting language that created a new section setting conflict of interest requirements for Land Use Commission members; and
- (3) Changing the effective date to upon approval.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1730, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1730, H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land, and  
Housing,

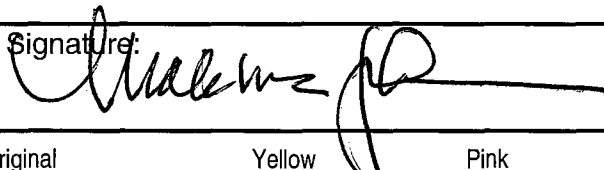


DONOVAN M. DELA CRUZ, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water, Land and Housing**  
**WLH**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB1730 HD2	WLH, JDL	3-22-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol				✓
RYAN, Pohai	✓			
SHIMABUKURO, Maile	✓			
TOKUDA, Jill N.				✓
SLOM, Sam				✓
<b>TOTAL</b>	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes