

STAND. COM. REP. NO.

217

Honolulu, Hawaii

February 8, 2013

RE: H.B. No. 1352  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land, to which was referred H.B. No. 1352 entitled:

"A BILL FOR AN ACT RELATING TO WATER,"

beg leave to report as follows:

The purpose of this measure is to protect the water rights of kuleana land owners by exempting kuleana lands from all state, county, and municipal taxation, fees, and charges of every kind for water usage in connection with the kuleana landowner's appurtenant water rights.

A few individuals provided testimony in support of this measure. The Department of Land and Natural Resources, Commission on Water Resource Management, Center for Hawaiian Sovereignty Studies, and a few individuals provided testimony in opposition to this bill. The Department of Taxation provided comments.

Your Committees have amended this measure by changing its effective date to July 1, 2020, for the purpose of encouraging further discussion.

Your Committees note the concern raised by the Department of Land and Natural Resources that a nexus does not exist between the State Water Code and taxation for water usage. Nevertheless, your Committees wish to continue the discussion on this issue further and urge the proponents of this measure to present information

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explaining the link between the State Water Code and taxation for water usage.

As affirmed by the records of votes of the members of your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1352, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1352, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Ocean, Marine  
Resources, & Hawaiian Affairs  
and Water & Land,



CINDY EVANS, Chair



FAYE P. HANOHANO, Chair





