

STAND. COM. REP. NO.

2599

Honolulu, Hawaii

FEB 28 2014

RE: S.B. No. 3003  
S.D. 2

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committees on Public Safety, Intergovernmental and Military Affairs, Water and Land, and Ways and Means, to which was referred S.B. No. 3003, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LAND,"

beg leave to report as follows:

The purpose and intent of this measure is to establish the County of Niihau under the jurisdiction of the Department of Land and Natural Resources.

Your Committees received testimony in support of this measure from three individuals. Your Committees received testimony in opposition to this measure from the Ho'okipa Network - Kauai, Ocean Users and Holoholo Charters, and eight individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of the Attorney General, and one individual.

Your Committees find that Niihau is unique from the rest of the State. In 1959, Niihau was the only island to vote against statehood and Niihau's owners and residents, who primarily speak Hawaiian, are nearly all descendants of natural-born citizens of the Kingdom of Hawaii. Niihau is confronted with different issues, including concerns regarding fishing rights along the shoreline and the payment and expenditure of property taxes.

Your Committees received testimony from the owners of Niihau expressing concerns that they pay property taxes to the County of

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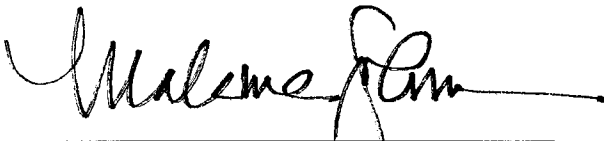
Kauai, yet the residents of Niihau do not receive, nor do they ask for, any services in exchange for the property taxes paid. Your Committees find that this issue raises concerns that merit further consideration and that a review of the issues surrounding the establishment of the County of Niihau will be beneficial.


Your Committees have amended this measure by:

- (1) Inserting language to establish a temporary working group in the Department of Land and Natural Resources to examine the issues surrounding the establishment of the County of Niihau and requiring the submittal of a report to the Legislature;
- (2) Inserting an effective date of July 1, 2020, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental and Military Affairs, Water and Land, and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3003, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3003, S.D. 2, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committees on Public Safety,  
Intergovernmental and Military  
Affairs, Water and Land, and  
Ways and Means,

  
MALAMA SOLOMON, Chair

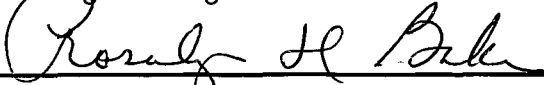
  
WILL ESPERO, Chair

  
DAVID Y. IGE, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

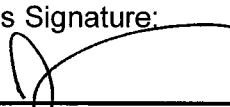
**Record of Votes**  
**Committee on Public Safety and Military Affairs**  
**PSM**

Bill / Resolution No.:* <b>SB 3003, SD1</b>	Committee Referral: <b>PSM/WTL/WAM</b>	Date: <b>2-18-2014</b>		
<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
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh	✓			
SLOM, Sam		✓		
<b>TOTAL</b>	<b>4</b>	<b>1</b>	<b>—</b>	<b>—</b>
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

The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:* <b>SB3003, SDI</b>	Committee Referral: <b>PSM/WTL/WAM</b>	Date: <b>2/18/14</b>		
<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
SOLOMON, Malama (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
DELA CRUZ, Donovan M.				✓
IHARA, Jr., Les				✓
RUDERMAN, Russell E.		✓		
SHIMABUKURO, Maile S.L.				✓
TANIGUCHI, Brian				✓
THIELEN, Laura H.	✓			
SLOM, Sam		✓		
<b>TOTAL</b>	<b>3</b>	<b>2</b>		<b>4</b>
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				

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The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <i>SB3003 SD1</i>	Committee Referral: <i>PSM/INTL/WAM</i>	Date: <i>2-18-14</i>
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The committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
  Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.				✓
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
KAHELE, Gilbert	✓			
KEITH-AGARAN, Gilbert S.C.	✓			
KOUCHI, Ronald D.	✓			
RUDERMAN, Russell E.		✓		
THIELEN, Laura H.	✓			
TOKUDA, Jill N.	✓			
SLOM, Sam		✓		
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Recommendation:    
 Adopted    
 Not Adopted

Chair's or Designee's Signature: *Michelle N. Kidani*

**Distribution:**    
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