



TESTIMONY OF THE DEPARTMENT OF THE ATTORNEY GENERAL TWENTY-SEVENTH LEGISLATURE, 2014

ON THE FOLLOWING MEASURE:

S.B. NO. 3003, S.D. 1, RELATING TO LAND.

BEFORE THE:

SENATE COMMITTEES ON PUBLIC SAFETY, INTERGOVERNMENTAL AND
MILITARY AFFAIRS; ON WATER AND LAND; AND ON WAYS AND MEANS

DATE: Friday, February 14, 2014

TIME: 9:45 a.m.

LOCATION: State Capitol, Room 211

TESTIFIER(S): WRITTEN COMMENTS ONLY. For more information, call
Linda L.W. Chow at 587-2992

Chairs Espero, Solomon, and Ige, and Members of the Committees:

Thank you for the opportunity to provide written comments on S.B. No. 3003, S.D. 1.

The bill proposes to establish the County of Niihau and place the County of Niihau under the jurisdiction of the Department of Land and Natural Resources.

The title of this bill does not appear to conform to the constitutional requirement of article III, section 14, Hawaii State Constitution, which provides, "Each law shall embrace but one subject, which shall be expressed in its title." If an act does not comply with article III, section 14, the act will be rendered invalid if challenged. See, Schwab v. Ariyoshi, 58 Haw. 25, 31, 564 P.2d 135, 139 (1977) ("Article III, Section 15 of the Hawaii State Constitution [predecessor to the current article III, section 14] is mandatory and a violation thereof would render an enactment nugatory"). The bill is entitled "A Bill for an Act Relating to Land." However, the bill is about the creation of the County of Niihau, which is a matter of political governance, not land.

We respectfully suggest that if the Committee wishes to go forward with this bill, that the more appropriate vehicle would be S.B. No. 172, S.D. 1, which has the title "A Bill for an Act Relating to Counties."

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 18, 2014 8:17 AM
To: PSMTestimony
Cc: keileesanae@yahoo.com
Subject: Submitted testimony for SB3003 on Feb 18, 2014 09:00AM

LATE TESTIMONY

SB3003

Submitted on: 2/18/2014

Testimony for PSM/WTLWAM on Feb 18, 2014 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Rosa	Individual	Oppose	No

Comments: This bill will only hurt the people of Niihau as they will have no representation and the rule of Robinson will continue to oppress these people. This will isolate these people even more. Amazing legacy that this family wants to leave behind.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 17, 2014 8:39 AM
To: PSMTestimony
Cc: iamaki66@gmail.com
Subject: Submitted testimony for SB3003 on Feb 18, 2014 09:00AM

LATE TESTIMONY

SB3003

Submitted on: 2/17/2014

Testimony for PSM/WTL/WAM on Feb 18, 2014 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Ian Amaki	Individual	Oppose	No

Comments: Aloha my name is Ian Amaki I am born an raised on Kauai. I jus wonder why is all these bills coming out an so fast. It is not cheap for us to fly from Kauai all the time why can't we have a hearing on Kauai so all the senators can hear what people of kauai really have to say. Before anymore is done why can't someone give us some scientific facts on how the waters of niihau are getting depleted? I feel that all these bill are getting put though on a he said she said bases with no facts jus feeling. Thank you for taking the time to read my comment

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