

STAND. COM. REP. NO.

2107

Honolulu, Hawaii

FEB 18 2022

RE: S.B. No. 2759
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2759, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE DISPOSITION OF WATER RIGHTS,"

begs leave to report as follows:

The purpose and intent of this measure is to exempt the instream use of water used for traditional and customary kalo cultivation from the Department of Land and Natural Resources' disposition of water rights process.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands; a member of the Hawaii County Council; County of Kauai Planning Department; Office of the Mayor of the County of Kauai; Council for Native Hawaiian Advancement; Kuaaina Ulu Auamo; Sierra Club of Hawaii; Aloha Aina Legal Group, LLC; Waioli Valley Taro Hui; Ahahui o na Kauka - Association of Native Hawaiian Physicians; Hui o Na Wai Eha; Earthjustice; Papa Ola Lokahi; Haiku Community Association; Hanalei Hawaiian Civic Club; and thirteen individuals.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that providing a water disposition exemption for certain kalo cultivation will help to reduce



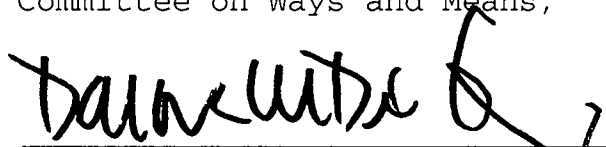
barriers for taro cultivation, reduce the cost to produce poi, increase food production in Hawaii, and protect the traditional and customary practices of Native Hawaiians as mandated by the Hawaii State Constitution.

Your Committee has amended this measure by:

- (1) Including a severability clause; and
- (2) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2759, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2759, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

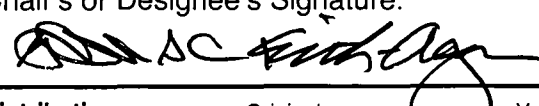


DONOVAN M. DELA CRUZ, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB2759, SD1	Committee Referral: WTL/AEN/HWN, WAM	Date: 2/15/22		
<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)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MISALUCHA, Bennette E.	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.				X
TANIGUCHI, Brian T.				X
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	9			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> 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 measure per Record of Votes