

STAND. COM. REP. NO.

437

Honolulu, Hawaii

FEB 19 2021

RE: S.B. No. 712
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committees on Water and Land and Hawaiian Affairs, to which was referred S.B. No. 712 entitled:

"A BILL FOR AN ACT RELATING TO THE AHA MOKU ADVISORY COMMITTEE,"

beg leave to report as follows:

The purpose and intent of this measure is to require that the Executive Director of the Aha Moku Advisory Committee be appointed by the Governor and subject to the advice and consent of the Senate, with a term limit of four years.

Your Committees received testimony in support of this measure from one individual. Your Committees received testimony in opposition to this measure from the Aha Moku Advisory Committee, Ko'olaupoko Hawaiian Civic Club, and thirteen individuals. Your Committees received comments on this measure from one individual.

Your Committees find that the Senate's role in the advice and consent of certain governor-appointed positions is rooted in the concept of "checks and balances" between the three constitutionally established branches of government. Your Committees note that they cannot identify any employee who serves a board or commission as its executive director and is subject to the advice and consent of the Senate. Your Committees further find that the purpose of the Aha Moku Advisory Committee is to advise the Chairperson of the Board of Land and Natural Resources



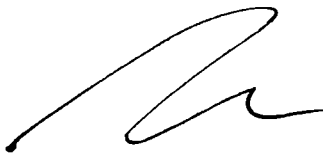
regarding the aha moku system, on issues related to land and natural resources.

Your Committees have amended this measure by:

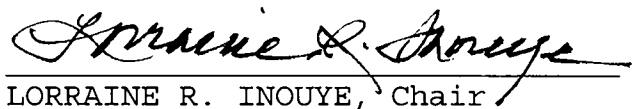
- (1) Inserting an effective date of January 1, 2025, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 712, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 712, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Water and Land
and Hawaiian Affairs,



MAILE S.L. SHIMABUKURO, Chair



LORRAINE R. INOUYE, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* <i>SB 712</i>	Committee Referral: <i>WTL/HWN, JDC</i>	Date: <i>2-9-2021</i>		
<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
INOUE, Lorraine R. (C)	✓			
KEITH-AGARAN, Gilbert S.C. (VC)	✓			
MISALUCHA, Bennette E.	✓			
RIVIERE, Gil		✓		
FEVELLA, Kurt			✓	
TOTAL	3	1	1	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Bennette E. Misalucha</i>				
Distribution: 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
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 712	WTL/HWN, JDC	2/9/2021		
<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
SHIMABUKURO, Maile S.L. (C)	X			
KEOHOKALOLE, Jarrett (VC)	X			
ACASIO, Laura		X		
IHARA, Jr., Les		X		
FEVELLA, Kurt			X	
TOTAL	2	2	1	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
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