STAND. COM. REP. NO. 3826

Honolulu, Hawaii

MAY - 2 2006

RE: GOV. MSG. NO. 428

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Water, Land, and Agriculture, to which was referred Governor's Message No. 428, submitting for study and consideration the nomination of:

BOARD OF LAND AND NATURAL RESOURCES

G.M. No. 428 FRANK DE LUZ, III, for a term to expire 6-30-2010,

begs leave to report as follows:

Upon review of background information submitted by the nominee, your Committee finds that FRANK DE LUZ, III is a full time rancher, the owner and operator of rental units, and manages land holdings. He also managed a slaughterhouse for twenty years and has served on the Hawaii County Council and chaired the Finance Committee, the Planning Committee, and the Research and Development Committee.

Testimony in support of the nominee was submitted by the Department of Land and Natural Resources; the Hawaii Island Portuguese Chamber of Commerce; the International Longshore and Warehouse Union Local 142; Suisan Properties, Limited; and twenty individuals. Testimony in opposition to the nominee was submitted by the Conservation Council for Hawaii, KAHEA - The Hawaiian-Environmental Alliance, the Sierra Club-Hawaii Chapter, and three individuals.

Your Committee diligently questioned the nominee regarding his understanding and knowledge of general topics pertaining to the State's land and natural resource issues, as well as conflicts

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of interest issues applicable to the nominee. Your Committee finds that the nominee did not have an understanding of land use and natural resource issues and inadequately failed to identify potential conflicts of interests that may arise while serving on the board.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Agriculture that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be not qualified for the position to which nominated and recommends that the Senate not advise and consent to the nomination.

Respectfully submitted on behalf of the members of the Committee on Water, Land, and Agriculture,

RUSSELL S. KOKUBUN, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Water, Land, and Agriculture (Advise and Consent)

Governor's Message No.:*	Committee Referral:		Date:	Date:		
GM 428	WLA		4	4/28/06		
The Committee is reconsidering its decision.						
The Recommendation is to:						
Advise and Consent (2340)		Not Advise and Consent (2345)				
Members		Ayes	Ayes(WR)	Nays	Excused	
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Recommendation: Adopted Not Adopted						
Chair's or Designature:						
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy						

^{*}Do <u>not</u> list more than one Governor's Message per Record of Votes.