

STAND. COM. REP. NO. 3677

Honolulu, Hawaii

APR 21 2016

RE: GOV. MSG. NOS. 614,
842, 843, 869

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Water, Land, and Agriculture, to which was referred Governor's Message Nos. 614, 842, 843, and 869, submitting for study and consideration the nominations of:

LAND USE COMMISSION

G.M. No. 614	NANCY CABRAL, for a term to expire 06-30-2017;
G.M. No. 842	DAWN CHANG, for a term to expire 06-30-2019;
G.M. No. 843	JONATHAN SCHEUER, for a term to expire 06-30-2020; and
G.M. No. 869	GARY OKUDA, for a term to expire 06-30-2017,

begs leave to report as follows:

Your Committee has reviewed the personal histories, resumes, and statements submitted by the nominees and finds Nancy Cabral, Dawn Chang, Jonathan Scheuer, and Gary Okuda to possess the requisite qualifications to be nominated to the Land Use Commission.

NANCY CABRAL

Your Committee received testimony in support of the nomination for the reappointment of Nancy Cabral from the

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Department of Business, Economic Development, and Tourism; Office of Planning; Land Use Commission; Hawai'i Farm Bureau; Ponoholo Ranch, Limited; W.H. Shipman, Limited; and eight individuals.

Upon review of the testimony, your Committee finds that Ms. Cabral's experience as a real estate agent and property manager, commitment to public service, and proven leadership qualify her to be nominated for reappointment to the Land Use Commission. Your Committee notes that Ms. Cabral has served as a member of the Land Use Commission since 2015 and is the owner of Coldwell Banker Day-Lum Properties and Day-Lum Rentals and Management, Inc. She is currently on the Board of Directors of the Ku'ikahi Mediation Center, Hawai'i Island Leadership Council for Hawai'i Community Foundation, and H.C. Shipman Foundation. She also serves as a member of the Zonta Club of Hilo, Rotary Club of Hilo, Hilo Downtown Improvement Association, Hawai'i Island Chamber of Commerce, Hawai'i Island REALTORS, National Association of Property Managers, and Hawai'i Horse Owners Association. Based on Ms. Cabral's knowledge, experience, and commitment to public service, your Committee finds that Ms. Cabral will continue to be an asset to the Land Use Commission.

DAWN CHANG

Your Committee received testimony in support of the nomination for the appointment of Dawn Chang from the Department of Business, Economic Development, and Tourism; Office of Planning; Land Use Commission, Aha Moku Advisory Committee; County of Kaua'i Planning Department; Hawaii Laborers-Employers Cooperation and Education Trust; Turtle Bay Resort; The Howard Hughes Corporation; Hawai'i Construction Alliance; and nineteen individuals. Your Committee received testimony in opposition to the nomination of Dawn Chang from the Native Hawaiian Legal Corporation.

Upon review of the testimony, your Committee finds that Ms. Chang's experience as an attorney, commitment to public service, and proven leadership qualify her to be nominated for appointment to the Land Use Commission. Your Committee notes that Ms. Chang is a member of Accord3.0 Consultants, a Principal of Ho'akea LLC dba Ku'iwalu, and Of Counsel at Ishida & Yamada LLP. She has previously worked as a Deputy Attorney General and has focused her career on legal issues involving native Hawaiian rights and land laws, specializing in the areas of cultural



resource management and historic preservation issues, including native Hawaiian burials, land issues, and regulatory requirements. She is the Chair of the KEY Project Board of Directors and a member of the Historic Hawai'i Foundation Board of Trustees and Girl Scouts of Hawai'i Board of Directors. Your Committee further finds that Ms. Chang has been nominated for appointment to the Land Use Commission based on her knowledge and experience with native Hawaiian land laws and property transactions and willingness to serve the public.

JONATHAN SCHEUER

Your Committee received testimony in support of the nomination for the reappointment of Jonathan Scheuer from the Department of Business, Economic Development, and Tourism; Office of Planning; Office of Hawaiian Affairs; Land Use Commission; Aha Moku Advisory Committee; KAHEA: The Hawaiian-Environmental Alliance; Hawaii's Thousand Friends; Conservation Council for Hawai'i; Cultural Surveys Hawai'i, Inc.; and fifteen individuals.

Upon review of the testimony, your Committee finds that Dr. Scheuer's experience as a natural resources and environmental issues consultant, commitment to public service, and proven leadership qualify him to be nominated for reappointment to the Land Use Commission. Your Committee notes that Dr. Scheuer has served as a member of the Land Use Commission since 2014 and is the current Vice Chair. He previously worked as the Director of Land Management and as a Policy Analyst IV in the Office of Hawaiian Affairs and as a Land Evaluation Coordinator for Kamehameha Schools. He is the Vice Chair of the Hawaiian Islands Land Trust Board of Directors. Dr. Scheuer has served previously as the Vice Chair of the O'ahu Island Burial Council, Deputy Director for the Commission on Water Resource Management, member of the O'ahu Land Trust Board of Directors, and Director of Mālama Mānoa. Based on Dr. Scheuer's knowledge, experience, and commitment to public service, your Committee finds that Dr. Scheuer will continue to be an asset to the Land Use Commission.

GARY OKUDA

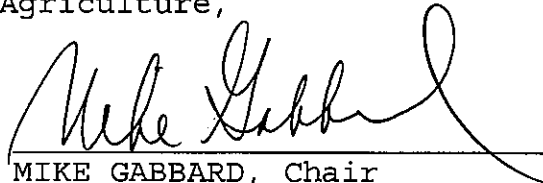
Your Committee received testimony in support of the nomination for the appointment of Gary Okuda from the Department of Business, Economic Development, and Tourism; Office of Planning; Land Use Commission; and twenty-four individuals.



Upon review of the testimony, your Committee finds that Mr. Okuda's experience as an attorney, commitment to public service, and proven leadership qualify him to be nominated for appointment to the Land Use Commission. Your Committee notes that Mr. Okuda has practiced law in Hawaii for thirty-five years, including the areas of property and land use law in private practice and the agricultural industry through his work with the University of Hawai'i College of Tropical Agriculture and Human Resources. Mr. Okuda indicates in his personal statement his experience at the 1978 Constitutional Convention and his belief that the Hawaii State Constitution reflects Hawaii's shared community values which make Hawaii our unique home. He also indicated in his personal statement that he promises to follow the law, without bias, make decisions based solely on the evidence presented to the Commission, keep an open mind, and be guided by the provisions of the Hawaii State Constitution. Your Committee further finds that Mr. Okuda has been nominated for appointment to the Land Use Commission based on his knowledge and experience in the legal field and willingness to serve the public.

As affirmed by the records of votes of the members of your Committee on Water, Land, and Agriculture that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

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



MIKE GABBARD, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Water, Land, and Agriculture
WLA
Advise and Consent

Governor's Message No.:* <div style="font-size: 1.2em; font-family: cursive;">GM614</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">WLA</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">4/18/16</div>		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <div style="display: flex; justify-content: space-around; align-items: flex-start;"><div style="text-align: center;"><input checked="" type="checkbox"/> Advise and Consent 2340</div><div style="text-align: center;"><input type="checkbox"/> Not Advise and Consent 2345</div></div>				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	/			
NISHIHARA, Clarence K. (VC)	/			
DELA CRUZ, Donovan M.				/
RIVIERE, Gil	/			
RUDERMAN, Russell E.	/			
SHIMABUKURO, Maile S.L.				/
THIELEN, Laura H.				/
WAKAI, Glenn	/			
SLOM, Sam				/
TOTAL	6			4
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="font-family: cursive; font-size: 1.2em;">Clarence K. Nishihara</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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Governor's Message No.:* <div style="font-size: 1.2em; font-family: cursive;">GM 842</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">WLA</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">4/18/16</div>		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Advise and Consent 2340 </div> <div style="text-align: center;"> <input type="checkbox"/> Not Advise and Consent 2345 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	/			
NISHIHARA, Clarence K. (VC)	/			
DELA CRUZ, Donovan M.				/
RIVIERE, Gil	/			
RUDERMAN, Russell E.	/			
SHIMABUKURO, Maile S.L.				/
THIELEN, Laura H.				/
WAKAI, Glenn	/			
SLOM, Sam				/
TOTAL	5			4
Recommendation: <div style="display: flex; justify-content: space-around; align-items: center;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.2em; font-family: cursive; margin-top: 10px;">Clarence K. Nishihara</div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

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Governor's Message No.:* GM 843	Committee Referral: WLA	Date: 4/18/16		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Advise and Consent 2340 </div> <div style="text-align: center;"> <input type="checkbox"/> Not Advise and Consent 2345 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	/			
NISHIHARA, Clarence K. (VC)	/			
DELA CRUZ, Donovan M.				/
RIVIERE, Gil	/			
RUDERMAN, Russell E.	/			
SHIMABUKURO, Maile S.L.				/
THIELEN, Laura H.				/
WAKAI, Glenn	/			
SLOM, Sam				/
TOTAL	5			4
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"> </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

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Governor's Message No.:* <div style="font-size: 1.2em; font-family: cursive;">GM 869</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">WLA</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">4/18/16</div>		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Advise and Consent 2340 </div> <div style="text-align: center;"> <input type="checkbox"/> Not Advise and Consent 2345 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	/			
NISHIHARA, Clarence K. (VC)	/			
DELA CRUZ, Donovan M.				/
RIVIERE, Gil	/			
RUDERMAN, Russell E.	/			
SHIMABUKURO, Maile S.L.				/
THIELEN, Laura H.				/
WAKAI, Glenn	/			
SLOM, Sam				/
TOTAL	<div style="font-size: 1.5em; font-family: cursive;">5</div>			<div style="font-size: 1.5em; font-family: cursive;">4</div>
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.2em; font-family: cursive; margin-top: 10px;">Clarence K. Nishihara</div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

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