

Honolulu, Hawaii

AUG 31 2017

RE: GOV. MSG. NOS. 26,
27, 28, 29

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
First Special Session of 2017
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred Governor's Message Nos. 26, 27, 28, and 29, submitting for study and consideration the nominations of:

LAND USE COMMISSION

- G.M. No. 26 GARY OKUDA,
for a term to expire 06-30-2021;
- G.M. No. 27 LEE OHIGASHI,
for a term to expire 06-30-2020;
- G.M. No. 28 LINDA ESTES,
for a term to expire 06-30-2021; and
- G.M. No. 29 NANCY CABRAL,
for a term to expire 06-30-2021,

begs leave to report as follows:

Your Committee has reviewed the personal histories, resumes, and statements submitted by the nominees and finds Gary Okuda, Lee Ohigashi, Linda Estes, and Nancy Cabral to possess the requisite qualifications to be nominated to the Land Use Commission.

GARY OKUDA

Your Committee received testimony in support of the nomination for the reappointment of Gary Okuda from the Department of Business, Economic Development, and Tourism; Land Use



Commission; Office of Planning; Turtle Bay Resort; W.J. Irish Fine Jewelry; Donna Jung Public Relations; and twenty-one individuals.

Mr. Okuda is a long-time resident of O'ahu, and your Committee finds the nominee meets the requisite qualifications to be nominated to the Land Use Commission as an at-large appointment.

Mr. Okuda is a partner in the law firm of Leu Okuda & Doi in Honolulu. He received a Bachelor of Arts degree from the University of Hawaii at Manoa and a Juris Doctor degree from the University of California, Davis, School of Law. Mr. Okuda presently serves as a Commissioner on the Land Use Commission. He is admitted to the bar in Hawaii, as well as the United States District Court for the District of Hawaii and the United States Court of Appeals for the Ninth Circuit. Mr. Okuda specializes in real estate law and foreclosures.

Your Committee notes the following from the nominee's written responses to questions posed by the Committee:

If confirmed, I promise to continue to follow the law, without bias in favor or against anyone appearing before the Land Use Commission.

* * *

I promise to continue to keep an open mind. I promise to continue to be guided by the provisions of the Hawaii Constitution.

* * *

I will act in accordance with the statutes passed by the Legislature, and I will be guided by the Hawaii State Constitution, which sets forth the common goals, values and heritage of all of Hawaii's people.

Mr. Okuda currently serves on the Land Use Commission. Your Committee notes the testimony of the Department of Business, Economic Development, and Tourism that Mr. Okuda has served admirably on the Commission, working hard and providing significant input. His legal experience has provided valuable insight into land use law rulings and procedural matters. Mr. Okuda is diligent in his preparation and independent in his analysis. He is a valuable addition to the Commission.



LEE OHIGASHI

Your Committee received testimony in support of the nomination of Lee Ohigashi from the Department of Business, Economic Development, and Tourism; Land Use Commission; Office of Planning; 808 Flooring, Inc.; and seven individuals.

Mr. Ohigashi is a long-time resident of Maui, and your Committee finds the nominee meets the requisite qualifications to be nominated to the Land Use Commission to represent Maui County.

Mr. Ohigashi received a Bachelor of Arts degree from the University of Redlands and a Juris Doctor degree from the University of Hawaii William S. Richardson School of Law. He is licensed to practice law in Hawaii. Mr. Ohigashi is a solo practitioner in private law practice in Wailuku, specializing in family law and administrative law. He formerly served as Deputy Corporation Counsel for the County of Maui, where he advised the Planning Department, Water Department, Police and Fire Departments, Public Works Department, and Parks Department. Mr. Ohigashi has served as a commissioner on the Hawaii Criminal Justice Commission, University of Hawaii Board of Regents (Chairman of Community Colleges Committee), State of Hawaii Board for Vocational Education, Research Corporation of the University of Hawaii, and Maui Liquor Commission. Mr. Ohigashi has been active with the Maui Jaycees, Maui Japanese Chamber of Commerce, and Japanese Cultural Association.

Your Committee notes from the nominee's written responses to questions posed by the Committee, "The role of the commission is to ensure that the matters before it are vetted fully and to provide for public participation in the process."

Your Committee further notes the testimony of the Department of Business, Economic Development, and Tourism that Mr. Ohigashi is a well-respected member of the Maui community and has served on a number of boards or commissions throughout the course of his career. He has experience in the workings of organizations like the Land Use Commission and in the role of government in making critical decisions. Mr. Ohigashi's resume illustrates his experience in dealing with complex issues and his grasp of the problems facing Maui and Hawaii in general.



LINDA ESTES

Your Committee received testimony in support of the nomination for the reappointment of Linda Estes from the Department of Business, Economic Development, and Tourism; Land Use Commission; Office of Planning; Kaua'i County Council; Kauai Island Finance, Inc.; and two individuals.

Ms. Estes has been a resident of Kaua'i for over fifteen years, and your Committee finds the nominee meets the requisite qualifications to be nominated to the Land Use Commission to represent Kaua'i County.

Linda Estes received a Bachelor of Arts degree in Health, Physical Education, and Recreation; Master of Arts degree in Recreation Administration; and Master of Science degree in Public Administration from the University of New Mexico. Ms. Estes has served on the Land Use Commission since 2015. She is the recipient of numerous awards and honors bestowed by the State of New Mexico and the University of New Mexico.

Your Committee notes from the nominee's written responses to questions posed by the Committee, "I have followed the issues of land use since I moved to Kauai seventeen years ago. I believe that the 1961 Land Use Law was very progressive legislation and I am interested in continuing to be a part of the process of preserving, protecting and making the best use of Hawaii's lands."

Your Committee further notes from the testimony of the Department of Business, Economic Development, and Tourism that Ms. Estes is well known for her concern with the workings of government. She has always been active in promoting her community's interests and those of the State as a whole. She has shown the ability to bring a measure of practicality to Commission discussions and a balancing of public policy issues.

NANCY CABRAL

Your Committee received testimony in support of the nomination for the reappointment of Nancy Cabral from the Department of Business, Economic Development, and Tourism; Land Use Commission; Office of Planning; and two individuals.



Ms. Cabral is a long-time resident of the Island of Hawai'i, and your Committee finds the nominee meets the requisite qualifications to be nominated to the Land Use Commission to represent Hawai'i County.

Nancy Cabral is the President of Day-Lum, Inc.; Day-Lum Rentals & Management, Inc.; and Coldwell Banker Day-Lum Properties. Day-Lum Rentals & Management is the largest property management company on the Big Island with more than twenty-six employees and manages over 650 individual homes, 230 commercial properties, 21 residential and commercial condominium associations, and 13 subdivision associations, and oversees six U.S. Department of Housing and Urban Development projects on the Big Island.

Ms. Cabral is active in community service organizations and projects on the Big Island. She was recently awarded the Athena Award for her success in helping women in the community and workplace.

Your Committee notes the following from the nominee's written responses to questions posed by the Committee:

It is the duty of the Land Use Commission to protect the current agricultural lands of Hawaii. The Commission is to check the land for historical remains that should be protected, cultural practices that need to be accommodated into the future and the community needs and concerns that should be considered when any change is being requested.

* * *

As a Commissioner I have a responsibility to the entire State of Hawai'i and all our Ohana to make the best decision possible, not necessarily the popular decision, for the current times and generations into the future.

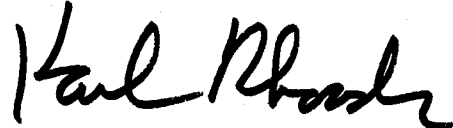
Your Committee further notes the testimony of the Department of Business, Economic Development, and Tourism that Ms. Cabral has been a welcome addition to the Commission. Her business acumen and candid nature are welcome in the Commission's deliberations. She has proven to be adept in the balancing of key concerns with economic development. She is a well-respected member of the Commission and valuable to its mission.

As affirmed by the records of votes of the members of your Committee on Water and Land 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 and Land,

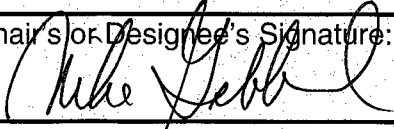


KARL RHOADS, Chair



The Senate
 Twenty-Ninth Legislature
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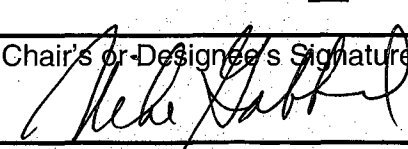
Record of Votes
Committee on Water and Land
WTL
Advise and Consent

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|---|-----------------------------------|--------------------------|---------------------|----------|
| Governor's Message No.:* GM 26 | Committee Referral: WTL | Date: 08/29/17 | | |
| <input type="checkbox"/> The Committee is reconsidering its decision | | | | |
| The Recommendation is: | | | | |
| <input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| RHOADS, Karl (C) | ✓ | | | |
| GABBARD, Mike (VC) | ✓ | | | |
| INOUYE, Lorraine R. | ✓ | | | |
| RIVIERE, Gil | ✓ | | | |
| THIELEN, Laura H. | ✓ | | | |
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| Chair's or Designee's Signature: | | | | |
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| Distribution: | | | | |
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Record of Votes
Committee on Water and Land
WTL
Advise and Consent

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| Governor's Message No.:* GM 27 | Committee Referral: WTL | Date: 08/29/17 | | |
| <input type="checkbox"/> The Committee is reconsidering its decision | | | | |
| The Recommendation is: | | | | |
| <input checked="" type="checkbox"/> Advise and Consent 2340 | <input type="checkbox"/> Not Advise and Consent 2345 | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| RHOADS, Karl (C) | ✓ | | | |
| GABBARD, Mike (VC) | ✓ | | | |
| INOUYE, Lorraine R. | ✓ | | | |
| RIVIERE, Gil | ✓ | | | |
| THIELEN, Laura H. | ✓ | | | |
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| Chair's or-Designee's Signature: | | | | |
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| Distribution: | | | | |
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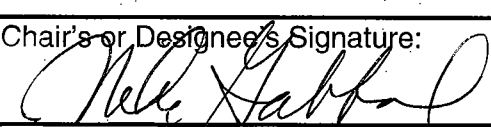
Record of Votes
Committee on Water and Land
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Advise and Consent

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| Governor's Message No.:* GM 28 | Committee Referral: WTL | Date: 08/29/17 | | |
| <input type="checkbox"/> The Committee is reconsidering its decision | | | | |
| The Recommendation is: | | | | |
| <input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| RHOADS, Karl (C) | ✓ | | | |
| GABBARD, Mike (VC) | ✓ | | | |
| INOUYE, Lorraine R. | ✓ | | | |
| RIVIERE, Gil | ✓ | | | |
| THIELEN, Laura H. | ✓ | | | |
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| Chair's or Designee's Signature: | | | | |
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Record of Votes
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| Governor's Message No.:* GM 29 | Committee Referral: WTL | Date: 08/29/17 | | |
| <input type="checkbox"/> The Committee is reconsidering its decision | | | | |
| The Recommendation is: | | | | |
| <input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| RHOADS, Karl (C) | ✓ | | | |
| GABBARD, Mike (VC) | ✓ | | | |
| INOUYE, Lorraine R. | ✓ | | | |
| RIVIERE, Gil | ✓ | | | |
| THIELEN, Laura H. | ✓ | | | |
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| TOTAL | 5 | — | — | — |
| Recommendation: | | | | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
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