

STAND. COM. REP. NO.

1764

Honolulu, Hawaii

APR 13 2007

RE: S.C.R. No. 25
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred
S.C.R. No. 25, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A
TERM, NON-EXCLUSIVE SURFACE EASEMENT AT KAHALUU, NORTH KONA,
HAWAII,"

begs leave to report as follows:

The purpose of this measure is to grant the prior
authorization by concurrent resolution of the Legislature of a
lease to submerged lands beneath the tidal water of the State to
KBH, Inc., at Kahaluu, North Kona, Hawaii.

Your Committee has received comments in support of this
measure from the Department of Land and Natural Resources.

Your Committee finds that KBH, Inc. seeks to enter into a
long-term sixty-five-year lease with Kamehameha Schools for the
site and existing improvements of the Keauhou Beach Hotel at
Kahaluu, North Kona, Hawaii. However, a portion of the foundation
of the hotel improvements was determined by judicial decision to
be encroaching upon state submerged lands. Accordingly, KBH, Inc.
is seeking a term, non-exclusive surface easement for sixty-five
years to the submerged lands upon which the hotel foundation is
encroaching to coincide with the Kamehameha Schools lease.

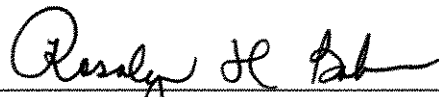
As affirmed by the record of votes of the members of your
Committee on Ways and Means that is attached to this report, your

SCR25 SD1 SSCR LRB 07-4125.doc



Committee concurs with the intent and purpose of S.C.R. No. 25,
S.D. 1, and recommends its adoption.

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




ROSALYN H. BAKER, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SCR 25 SD1	Committee Referral: WAH, WAM	Date: 4/6/07		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani				/
FUKUNAGA, Carol	/			
HOOSER, Gary L.	/			
KIM, Donna Mercado				/
MENOR, Ron	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred	/			
WHALEN, Paul	/			
TOTAL	9	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency				

*Only one measure per Record of Votes