

STAND. COM. REP. NO.

1371

Honolulu, Hawaii

APR 16 2009

RE: S.C.R. No. 78
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred
S.C.R. No. 78 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE
SUBMERGED LANDS SEAWARD OF TAX MAP KEY: (2) 4-3-2: 27, AT
KAANAPALI, MAUI, FOR CONCRETE PIER BLOCK REMNANTS PURPOSES,"

begs leave to report as follows:

The purpose of this measure is to authorize the issuance of a
non-exclusive easement over state submerged lands near 5900 lower
Honoapiilani Road in Lahaina, Maui, to allow Napili Kai, Ltd., to
make repairs to its condominium.

Your Committee finds that section 171-53, Hawaii Revised
Statutes, requires the prior authorization of the Legislature by
concurrent resolution for the Board of Land and Natural Resources
to lease state submerged lands. This measure will allow the
issuance of a non-exclusive easement as recommended by the
Department of Land and Natural Resources, enabling Napili Kai,
Ltd. to enlarge and improve the condominium's existing swimming
pool.

Your Committee has amended this measure by making technical
nonsubstantive amendments for purposes of clarity and style.

As affirmed by the record of votes of the members of your
Committee on Ways and Means that is attached to this report, your
Committee concurs with the intent and purpose of S.C.R. No. 78, as

SCR78 SD1 SSCR LRB 09-3505.doc



amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 78, S.D. 1.

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

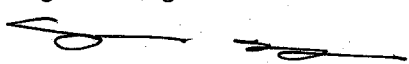


DONNA MERCADO KIM, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 78	WTL, WAM	4-8-2009		
<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
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
GALUTERIA, Brickwood	/			
HEE, Clayton				/
HOOSER, Gary L.	/			
KIDANI, Michelle N.	/			
KOKUBUN, Russell S.				/
TOKUDA, Jill N.				/
HEMMINGS, Fred	/			
TOTAL	9			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes