

STAND. COM. REP. NO.

2693

Honolulu, Hawaii

MAR 10 2010

RE: S.C.R. No. 6

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred S.C.R. No. 6 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE MUTUAL CANCELLATION OF LEASE OF NON-EXCLUSIVE EASEMENT S-5252 AND ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SITUATED AT LAPAAKEA, LAHAINA, MAUI, IDENTIFIED BY TAX MAP KEY: (2) 4-5-001:055: SEAWARD OF TAX MAP KEY: (2) 4-5-001:006,"

begs leave to report as follows:

The purpose of this measure is to authorize the mutual cancellation of lease of non-exclusive easement S-5252 and the issuance of a term, non-exclusive easement covering a portion of state submerged lands situated at Lapaakea, Lahaina, Maui.

Testimony in support of this measure was submitted by one state agency and one individual. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Section 171-53, Hawaii Revised Statutes, requires prior approval of the Governor and prior authorization of the Legislature by concurrent resolution to lease state submerged lands. This measure will authorize the issuance of a sixty-five year, non-exclusive easement to Meri-Jo Abrams, trustee of the Lakala Trust, for a wooden deck and concrete piers. The State will receive a one-time payment based on fair market value, as determined by an independent real estate appraiser. Your Committee finds that the mutual cancellation of the existing lease and issuance of a sixty-five year easement is necessary for Lakala

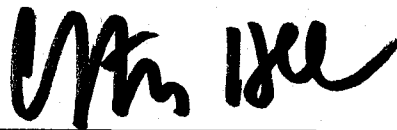
2010-1206 SCR SSCR SMA-1.doc



Trust to refinance a mortgage with the American Savings Bank. On August 28, 2009, the Board of Land and Natural Resources approved the mutual cancellation and issuance of the sixty-five year easement.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 6 and recommends that it be referred to the Committee on Ways and Means.

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

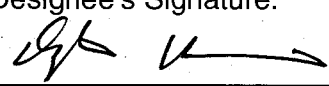


CLAYTON HEE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Water, Land, Agriculture and Hawaiian Affairs
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 6	WTL, WAM	2/17/10		
<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
HEE, Clayton (C)	✓			
TOKUDA, Jill N. (VC)				✓
BUNDA, Robert	✓			
FUKUNAGA, Carol				✓
KOKUBUN, Russell S.	✓			
TAKAMINE, Dwight Y.	✓			
HEMMINGS, Fred				✓
TOTAL	4	0	0	3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes