

STAND. COM. REP. NO.

3540

Honolulu, Hawaii

APR 19 2012

RE: H.C.R. No. 143  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Water, Land, and Housing, to which was referred H.C.R. No. 143 entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT, COVERING A PORTION OF STATE SUBMERGED LANDS AT MAHINAHINA, LAHAINA, MAUI, FOR RUBBLE ROCK REVETMENT PURPOSES,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the issuance of a fifty-five year term, non-exclusive easement covering an approximately 5,597 square foot portion of state submerged lands identified as tax map key: (2) 4-3-006:065 at Mahinahina, Lahaina, Maui, for a concrete and rubble rock revetment.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that the Board of Land and Natural Resources originally approved the issuance of a month-to-month Revocable Permit No. S-5117 to the Association of Apartment Owners of Lokelani for a concrete and rubble rock revetment. Subsequently, the Board cancelled the revocable permit to issue a more appropriate fifty-five year term, non-exclusive easement. This measure is necessary to fulfill the legislative authorization requirement under section 171-53, Hawaii Revised Statutes, for the leasing of state submerged lands. The lessee will pay the State

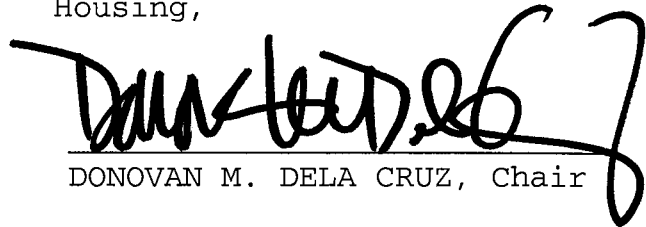


the fair market value of the easement and the amount shall be determined by independent appraisal.

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

As affirmed by the record of votes of the members of your Committee on Water, Land, and Housing that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 143, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 143, S.D. 1.

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

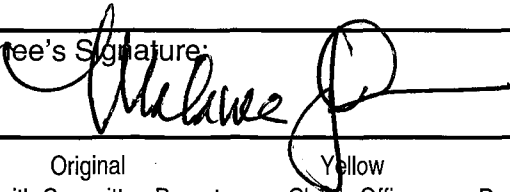


DONOVAN M. DELA CRUZ, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water, Land and Housing**  
**WLH**

|   |   |                                       |
|---|---|---------------------------------------|
| Bill / Resolution No.:*   | Committee Referral:   | Date:                                 |
| <b>HCR 143</b>  | <b>WLH</b>  | <b>4-17-12</b>                        |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____ |   |                                       |
| The Recommendation is:  |   |                                       |
| <input type="checkbox"/> Pass, unamended<br>2312  | <input checked="" type="checkbox"/> Pass, with amendments<br>2311 | <input type="checkbox"/> Hold<br>2310 |
| <input type="checkbox"/> Recommit<br>2313   |   |                                       |
| Members   | Aye   | Aye (WR)                              |
|   | Nay   | Excused                               |
| DELA CRUZ, Donovan M. (C)   | ✓   |                                       |
| SOLOMON, Malama (VC)  | ✓   |                                       |
| FUKUNAGA, Carol   | ✓   |                                       |
| RYAN, Pohai   | ✓   |                                       |
| SHIMABUKURO, Maile  | ✓   |                                       |
| TOKUDA, Jill N.   |   | ✓                                     |
| SLOM, Sam   | ✓   |                                       |
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| <b>TOTAL</b>  | <b>6</b>  | <b>1</b>                              |
| Recommendation:   |   |                                       |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted  |   |                                       |
| Chair's or Designee's Signature:  |   |                                       |
|    |   |                                       |
| Distribution:   |   |                                       |
| Original<br>File with Committee Report  | Yellow<br>Clerk's Office  | Pink<br>Drafting Agency               |
| Goldenrod<br>Committee File Copy  |   |                                       |

\*Only one measure per Record of Votes