

Honolulu, Hawaii

APR 13 2012

RE: S.C.R. No. 12

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

Sir:

Your Committee on Ways and Means, to which was referred  
S.C.R. No. 12 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A  
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE  
SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR  
OF EXISTING DECK AND IMPROVEMENTS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the  
Board of Land and Natural Resources to issue a term, non-exclusive  
easement covering a portion of state submerged lands fronting the  
property identified as tax map key: (2) 4-5-001: seaward of 4,  
at Lahaina, Maui, for maintenance and repair of the existing deck  
and for use, repair, and maintenance of existing improvements.

Your Committee received written comments in support of this  
measure from two individuals.

Your Committee finds that the Board of Land and Natural  
Resources may lease state submerged lands with the prior approval  
of the Governor and the Legislature by concurrent resolution,  
pursuant to section 171-53, Hawaii Revised Statutes. Your  
Committee also finds that on October 27, 1989, the Board of Land  
and Natural Resources approved the issuance of a term, non-  
exclusive easement for twenty years, which commenced on August 1,  
1991, and that the Board authorized a one-year holdover for the  
lease on July 8, 2011. Your Committee further finds that the  
easement is necessary to maintain and repair the existing deck and  
improvements.



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. 12 and recommends its adoption.

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

  
\_\_\_\_\_  
DAVID Y. IGE, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>SCR 12</b>	Committee Referral: <b>WLH, WAM</b>	Date: <b>4-11-12</b>		
<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
IGE, David Y. (C)	/			
KIDANI, Michelle N. (VC)	/			
CHUN OAKLAND, Suzanne				/
DELA CRUZ, Donovan M.	/			
ENGLISH, J. Kalani	/			
ESPERO, Will	/			
FUKUNAGA, Carol	/			
KIM, Donna Mercado				/
KAHELE, Gilbert				/
KOUCHI, Ronald D.				/
RYAN, Pohai	/			
TOKUDA, Jill N.	/			
WAKAI, Glenn	/			
SLOM, Sam				/
<b>TOTAL</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>5</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
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\*Only one measure per Record of Votes