

STAND. COM. REP. NO.

1494

Honolulu, Hawaii

APR 12 2013

RE: S.C.R. No. 158  
S.D. 2

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred  
S.C.R. No. 158, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A  
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE  
SUBMERGED LANDS AT MANELE BAY, LANAI, FOR RENOVATION OF  
MANELE SMALL BOAT HARBOR,"

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, nonexclusive  
easement covering a portion of state submerged lands, identified  
as tax map key (2) 4-9-17:06.

Your Committee finds that in 1993, the Board of Land and  
Natural Resources and Trilogy Corporation entered into a  
renewable, thirty-five-year lease of eighteen thousand square feet  
of undeveloped land. Trilogy Corporation obtained the lease for  
the purpose of constructing a first class pavilion at Manele Small  
Boat Harbor to provide arriving passengers with shelter from the  
elements and a comfortable venue for lunch and entertainment.  
Your Committee also finds that this measure satisfies the  
requirements of section 171-53, Hawaii Revised Statutes, which  
requires legislative approval by concurrent resolution prior to  
the leasing of state submerged lands.

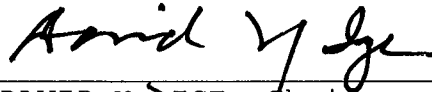
Your Committee has amended this measure by:



- (1) Amending the seventh WHEREAS clause to clarify that Hawaii and Trilogy Corporation's employees on Lanai would benefit from a lease of the loading dock and adjacent submerged lands and from a delegation of authority to the Chairperson of the Board of Land and Natural Resources to negotiate its additional terms; and
- (2) Amending the BE IT RESOLVED clause to clarify that the easement is authorized for a term of thirty-five years.

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. 158, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 158, S.D. 2.

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



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DAVID Y. IGE, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

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

Bill / Resolution No.:* <i>SCR 158, SD1</i>	Committee Referral: <i>WTL, WAM</i>	Date: <i>4/5/13</i>		
<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
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
KAHELE, Gilbert	✓			
KEITH-AGARAN, Gilbert S.C.	✓			
KOUCHI, Ronald D.	✓			
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.	✓			
TOKUDA, Jill N.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<i>13</i>	<i>0</i>	<i>0</i>	<i>0</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Suzanne Chun Oakland</i>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes