

STAND. COM. REP. NO. 3268

Honolulu, Hawaii

MAR 31 2016

RE: S.C.R. No. 17  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred  
S.C.R. No. 17, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A  
TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE  
SUBMERGED LANDS AT MAKAHA, WAIANAEE, OAHU, FOR THE MAINTENANCE  
AND REPAIR OF THE EXISTING SEAWALL, AND FOR USE, REPAIR, AND  
MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED  
THEREON,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the  
issuance of a term, non-exclusive easement for the portion Tax Map  
Key: (1) 8-4-005: seaward of 002, Makaha, Waianae, Oahu, for the  
repair and maintenance of the existing seawall and the use,  
repair, and maintenance of the existing improvements constructed  
thereon, pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received written comments in support of this  
measure from the Department of Land and Natural Resources.

Your Committee finds that, on January 11, 2013, the Board of  
Land and Natural Resources approved a grant of a fifty-five year  
non-exclusive easement to resolve the encroachment of the existing  
seawall identified in this measure, subject to certain conditions,  
and that the grantee is required to pay the State \$7,351 as  
consideration for the use of public lands. Your Committee further  
finds that the Board of Land and Natural Resources may lease  
submerged lands with the prior approval of the Governor and the

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prior authorization of the Legislature by concurrent resolution, pursuant to section 171-53, Hawaii Revised Statutes. Your Committee also finds that the easement is necessary to resolve the encroachment and to authorize and facilitate the use, repair, and maintenance of the seawall and improvements constructed thereon.

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. 17, S.D. 1, and recommends its adoption.


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

  
\_\_\_\_\_  
JILL N. TOKUDA, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

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

Bill / Resolution No.:* <b>SCR 17, SD 1</b>	Committee Referral: <b>WLA, WAM</b>	Date: <b>3/16/16</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
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood				/
HARIMOTO, Breene				/
INOUYE, Lorraine R.	/			
RIVIERE, Gil				/
TANIGUCHI, Brian T.				/
WAKAI, Glenn	/			
SLOM, Sam	/			
<b>TOTAL</b>	<b>7</b>			<b>4</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<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