

STAND. COM. REP. NO.

1712

Honolulu, Hawaii

APR 24 2017

RE: H.C.R. No. 97  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred  
H.C.R. No. 97, S.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A  
TERM, NON-EXCLUSIVE EASEMENT, COVERING A PORTION OF STATE  
SUBMERGED AND RECLAIMED (FILLED) LANDS AT KUAU, MAKAWAO,  
PAIA, MAUI, FOR MAINTENANCE AND REPAIRS OF THE EXISTING ROCK  
WALLS, REVETMENTS, STAIRWAY, AND LAWN OVER, UNDER, AND ACROSS  
STATE-OWNED LAND,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the  
issuance of an easement for state submerged and reclaimed (filled)  
lands.

Specifically, this measure authorizes the Board of Land and  
Natural Resources to issue a term, non-exclusive easement covering  
a portion of state submerged and reclaimed (filled) lands fronting  
property located in Kuau, Makawao, Paia, Maui, for the maintenance  
and repair of the existing rock walls, the revetments, a stairway,  
and the lawn.

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


Your Committee finds that section 171-53, Hawaii Revised  
Statutes, requires the Board of Land and Natural Resources to



obtain authorization from the Legislature to engage in disposition of state submerged and reclaimed lands. The Board has identified portions of a wall and other improvements identified as Tax Map Key: (2) 2-6-012: seaward of 026, as encroaching upon state submerged and reclaimed (filled) lands. Your Committee further finds that the Board of Land and Natural Resources approved a grant of a term, non-exclusive easement for the maintenance and repair of the encroachments. Your Committee further finds that this measure expresses the requisite legislative approval so that an easement may be issued for the use of those state submerged and reclaimed lands.

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 H.C.R. No. 97, S.D. 1, and recommends its adoption.

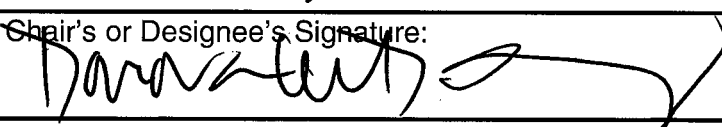
Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

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



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:		
HCR 97, SD1	WTL, WAM	4/21/17		
<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)	/			
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood				/
HARIMOTO, Breene	/			
INOUYE, Lorraine R.				/
KAHELE, Kaiali'i				/
RIVIERE, Gil	/			
SHIMABUKURO, Maile S.L.	/			
TANIGUCHI, Brian T.	/			
WAKAI, Glenn	/			
<b>TOTAL</b>	<b>8</b>			<b>3</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