

STAND. COM. REP. NO.

1396

Honolulu, Hawaii

APR 06 2017

RE: S.C.R. No. 120
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
S.C.R. No. 120, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE AMENDMENT OF A
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE
SUBMERGED LANDS AT MAUNALUA, HONOLULU, OAHU, FOR THE
MAINTENANCE AND REPAIR OF THE EXISTING CHANNEL, CONCRETE
SURGE BREAK OR BREAKWATER, SEAWALL, STEP, AND FILLED LAND,
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 an easement for state submerged lands.

Specifically, this measure authorizes the Board of Land and
Natural Resources to issue an amended term, non-exclusive easement
covering a portion of state submerged lands fronting property
located in Maunalua, Honolulu, Oahu, for the maintenance and
repair of the existing channel, concrete surge break or
breakwater, seawall, step, and filled land, and for the use,
repair, and maintenance of the existing improvements constructed
thereon.


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 lands. The Board has identified portions of the channel, concrete surge break or breakwater, seawall, step, and filled land fronting the property identified as Tax Map Key: (1) 3-9-026: seaward of 044, 045, and 048, as encroaching upon state submerged lands. The current owner of the abutting property has previously obtained a long-term easement of a portion of the encroaching area and has worked with the Department of Land and Natural Resources to obtain a similar easement of the additional encroachment area that is also located on state submerged lands. 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 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 S.C.R. No. 120, 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.:* SCR 120, SDI	Committee Referral: WTL, WAM	Date: 4/3/17		
<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	/			
TOTAL	11			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes