

Honolulu, Hawaii

APR 06 2017

RE: S.C.R. No. 46  
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. 46, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A  
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE  
SUBMERGED LANDS AT WAIMANALO, KOOLAUPOKO, OAHU, FOR THE  
MAINTENANCE AND REPAIR OF THE EXISTING PIER, 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 a term, non-exclusive easement covering  
a portion of state submerged lands located in Waimanalo,  
Koolaupoko, Oahu, for the maintenance and repair of the existing  
pier, and for the use, repair, and maintenance of the existing  
improvements.

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 a seawall pier located on property identified as Tax Map Key: (1) 4-1-001: seaward of 011, as encroaching upon state submerged lands. The current owner of the abutting property has worked with the Department of Land and Natural Resources to convert the existing pier revocable permit to a long-term easement, as the pier is 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. 46, 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.:* <i>SCR 46, SD1</i>	Committee Referral: <i>WTL, WAM</i>	Date: <i>3/20/17</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 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>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