

Honolulu, Hawaii

APR 06 2017

RE: S.C.R. No. 47

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. 47 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE AMENDMENT OF A
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE
SUBMERGED LANDS AT KAILUA, KOOLAUPOKO, OAHU, FOR THE SEAWALL
AND BOAT RAMP, AND FOR THE 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
amendment of an easement for state submerged lands.

Specifically, this measure authorizes the Board of Land and
Natural Resources to amend a term, non-exclusive easement covering
a portion of state submerged lands fronting property located in
Kailua, Koolaupoko, Oahu, for the maintenance and repair of the
existing seawall and boat ramp, 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 portions of a
seawall and boat ramp fronting the property identified as Tax Map



Key: (1) 4-3-005: seaward of 094, as encroaching upon state submerged lands. The current owner of the abutting property has worked with the Department of Land and Natural Resources to amend the existing easement to include an additional encroachment area, as a subsequent survey showed that the shoreline boundary to be further mauka. 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. 47 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 47	Committee Referral: WTL, WAM	Date: 2/20/17		
<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	7			4
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