

STAND. COM. REP. NO.

965

Honolulu, Hawaii

MAR 22 2017

RE: S.C.R. No. 50
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 Water and Land, to which was referred
S.C.R. No. 50 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A
TERM AND NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE
SUBMERGED LANDS AT WAIKIKI, HONOLULU, OAHU, FOR THE
MAINTENANCE AND REPAIR OF THE EXISTING PIER AND 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 of
state submerged lands fronting the property identified as tax map
key: (1) 3-6-001:036, Waikiki, Honolulu, Oahu, for the
maintenance and repair of the existing pier and seawall, and for
use, repair, and maintenance of the existing improvements
constructed thereon.

Your Committee received testimony in support of this measure
from the Department of Land and Natural Resources. Your Committee
received testimony in opposition to this measure from one
individual.

Your Committee finds that, pursuant to section 171-53, Hawaii
Revised Statutes, the Board of Land and Natural Resources may
lease submerged lands with the prior approval of the Governor and



the prior authorization of the Legislature by concurrent resolution. Your Committee further finds that on March 11, 2016, under agenda item D-8, the Board of Land and Natural Resources approved a grant of a fifty-five-year non-exclusive easement to resolve the encroachments of the pier and seawall identified in this measure, subject to the easement grantee paying the State the fair market value of the easement as determined by an independent appraisal. Your Committee concludes that the easement is necessary for the maintenance and repair of the existing pier and seawall, and for use, repair, and maintenance of the existing improvements thereon.

Your Committee has amended this measure by:

- (1) Inserting the name of the current owner of the abutting property;
- (2) Clarifying that the easement runs with the land for the term of the easement and inures to the benefit of the real property identified as tax map key: (1) 3-6-001:036, Waikiki, Honolulu, Oahu;
- (3) Amending its title to make a technical, nonsubstantive amendment; and
- (4) Making other technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 50, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 50, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Water and Land,



KARL RHOADS, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 50	WTL, WAM	03-08-2017		
<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 type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
GABBARD, Mike (VC)				/
INOUYE, Lorraine R.	/			
KIM, Donna Mercado	/			
THIELEN, Laura H.				/
TOTAL	3	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
<i>Donna Mercado Ku</i>				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes