STAND. COM. REP. NO. 1428

Honolulu, Hawaii

APR 0 6 2017

RE: S.C.R. No. 79

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. 79, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A FIFTY-FIVE YEAR TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIPOULI, KAWAIHAU, KAUAI, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING SEAWALL 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 issuance of a fifty-five year term, non-exclusive easement covering a portion of state submerged lands for seawall repairs.

More specifically, this measure authorizes the issuance of a fifty-five year term, non-exclusive easement covering a portion of state submerged lands fronting the property identified as Tax Map Key: (4) 4-3-009, seaward of 001, Waipouli, Kawaihau, Kauai, for the maintenance and repair of the existing seawall, 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, 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 the Board of Land and Natural Resources approved a grant of a fifty-five year, non-exclusive easement for the maintenance and repair of the existing seawall fronting the property identified in this measure. Your Committee concludes that the easement is necessary for the maintenance and repair of the existing seawall, and for the use, repair, and maintenance of the existing improvements thereon.

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. 79, S.D. 1, and recommends its adoption.

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

JILL N. TOKUPA, Chair

The Senate Twenty-Ninth Legislature State of Hawaiʻi

Record of Votes Committee on Ways and Means WAM

Bill / Resolution No.:*	Committee	Referral:	Dat	e:/	
SCR 79,501	WTL,	WAM	4	13/1	7
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)					<u>.</u>
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					
	1 <u>—11—11—11—11—11—11—11—11—11—11—11—11—1</u>				
		<u>:</u>	-		
		<u> </u>			
		1 (
TOTAL		_			
Recommendation: Adopted Not Adopted					
Chairls 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