

STAND. COM. REP. NO.

1914

Honolulu, Hawaii

APR 19 , 2021

RE: S.C.R. No. 15
S.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.C.R. No. 15, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT NAPILI 2 AND 3, LAHAINA, MAUI, FOR THE EXISTING WALKWAY, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON,"

begs leave to report as follows:

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Napili 2 and 3, Lahaina, Maui, for the existing walkway, and for the 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 finds that the existing walkway fronting private property located in Napili, Lahaina, Maui, and spanning 142 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a term, non-exclusive easement to run with the land and to inure to the benefit of the abutting real property to resolve the encroachment. This measure authorizes the granting of

2021-3156 SCR15 SD1 HSCR HMSO



a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Napili that have been encroached upon by the existing walkway, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 15, S.D. 1, and recommends its adoption.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,

Aaron Ling Johanson for
AARON LING JOHANSON, Chair



HSCR 1919

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SCR 15 SD 1	Committee Referral: WAL, CPC	Date: 4/15/21		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. JOHANSON, Aaron Ling (C)	✓			
2. KITAGAWA, Lisa (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. HAR, Sharon E.	✓			
5. HASHEM, Mark J.	✓			
6. KONG, Sam Satoru	✓			
7. MIZUNO, John M.				✓
8. MORIKAWA, Dee	✓			
9. ONISHI, Richard H.K.	✓			
10. TARNAS, David A.	✓			
11. MATSUMOTO, Lauren	✓			
TOTAL (11)	10	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="margin-left: 150px;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				