

STAND. COM. REP. NO. 3512

Honolulu, Hawaii

**MAR 28 2022**

RE: S.C.R. No. 5  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred  
S.C.R. No. 5, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A  
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE  
SUBMERGED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR THE  
EXISTING PIER, HOUSE, ROCK WALL, AND LANDSCAPE AREA, 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 fronting property located in  
Kaneohe, Koolaupoko, Oahu, for the maintenance and repair of the  
existing pier and portions of an existing house, rock wall, and  
landscape area 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.

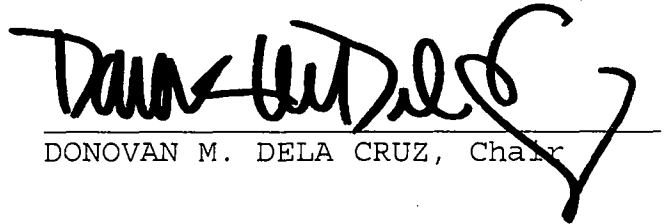
Your Committee finds that section 171-53, Hawaii Revised  
Statutes, requires the Board of Land and Natural Resources to



obtain authorization from the Legislature to engage in the disposition of state submerged lands. The Board has identified a pier and portions of a house, rock wall, and landscape area fronting property identified as Tax Map Key: (1) 4-4-016:016, as encroaching upon state submerged lands. The current owner of the abutting property has worked with the Department of Land and Natural Resources to obtain a non-exclusive easement, as the pier and portions of the house, rock wall, and landscape area are 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. 5, S.D. 1, and recommends its adoption.

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

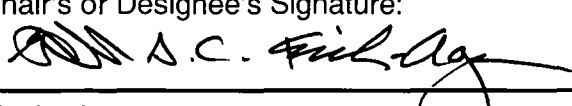


DONOVAN M. DELA CRUZ, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>SCR 5, SD1</b>	Committee Referral: <b>WTL, WAM</b>	Date: <b>3/23/22</b>		
<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
DELA CRUZ, Donovan M. (C)	x			
KEITH-AGARAN, Gilbert S.C. (VC)	x			
INOUYE, Lorraine R.	x			
KANUHA, Dru Mamo	x			
KIDANI, Michelle N.	x			
MISALUCHA, Bennette E.	x			
MORIWAKI, Sharon Y.	x			
SHIMABUKURO, Maile S.L.	x			
TANIGUCHI, Brian T.				x
WAKAI, Glenn				x
FEVELLA, Kurt	x			
<b>TOTAL</b>	<b>9</b>			<b>2</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