

STAND. COM. REP. NO.

3212

Honolulu, Hawaii

APR 20 2010

RE: H.C.R. No. 44

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred H.C.R. No. 44 entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LAND AT KAALAEA, KOOLAUPOKO, OAHU, FOR PRIVATE PROPERTY PURPOSES,"

begs leave to report as follows:

The purpose of this measure is to authorize the sale of the state reclaimed land at Kaalaea, Koolaupoko, Oahu for private property purposes.

Testimony in support of the measure was submitted by one state agency. One state agency submitted testimony in opposition. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that the parcel of land subject to this measure is 156 square feet of reclaimed land that is included in the fully fenced property of Joseph and Stephanie Phillips and is abutted by a seawall built in the 1950s. During the Kaneohe Bay Piers Amnesty Program in 2001, the Phillips obtained a pier lease from the Department of Land and Natural Resources and a field survey discovered 156 square feet of state reclaimed lands abutting the Phillips private property. The Phillips entered into a fifty-five year easement for the 156 square foot parcel. As part of the easement agreement, the Phillips are required to maintain commercial insurance on the parcel. In 2007, the Phillips requested to purchase the parcel in fee simple and the Board of Land and Natural Resources approved the sale. The

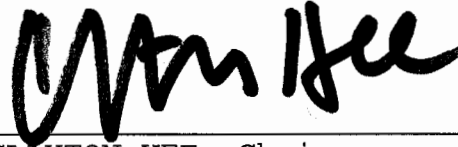
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appraised value of the parcel is \$11,550. The Phillips estimate that the cost of the insurance far exceeds the appraised value of the parcel, and would like to pass the property on to later generations with fewer encumbrances.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 44, and recommends its adoption.

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



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CLAYTON HEE, Chair



