

STAND. COM. REP. NO.

2812

Honolulu, Hawaii

MAR 09 2012

RE: S.C.R. No. 12

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Water, Land, and Housing, to which was referred S.C.R. No. 12 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING DECK AND IMPROVEMENTS,"

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: (2)4-5-001: seaward of 004, at Lahaina on the island of Maui for use, repair, and maintenance of existing improvements constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

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

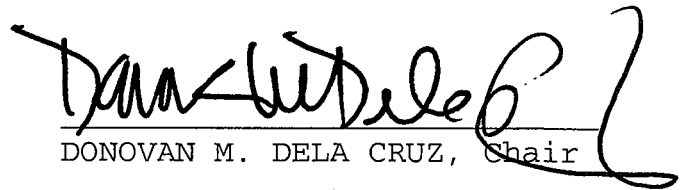
Your Committee finds that the Board of Land and Natural Resources may lease submerged lands with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution. The Board originally approved a twenty-year lease of non-exclusive easement on October 27, 1989, which was executed on August 1, 1991. Subsequently, the Board approved a one-year holdover of the easement at its meeting on July 8, 2011. The easement is necessary for the maintenance and repair of existing deck and improvements.

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As affirmed by the record of votes of the members of your Committee on Water, Land, and Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 12 and recommends that it be referred to the Committee on Ways and Means.

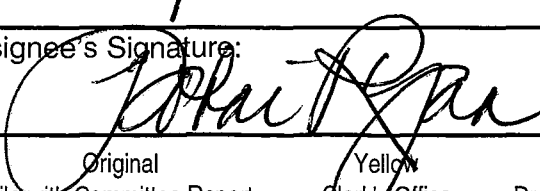
Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land, and  
Housing,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Water, Land and Housing**  
**WLH**

Bill / Resolution No.:*	Committee Referral:	Date:		
<b>SCR 12</b>	<b>WLH, WAM</b>	<b>2/28/12</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			
SOLOMON, Malama (VC)				X
FUKUNAGA, Carol		X		
RYAN, Pohai	X			
SHIMABUKURO, Maile		X		
TOKUDA, Jill N.	X			
SLOM, Sam	X			
<b>TOTAL</b>	<b>4</b>	<b>2</b>		<b>1</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's 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