

STAND. COM. REP. NO. 1699

Honolulu, Hawaii

APR 27 2015

RE: H.C.R. No. 34
H.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred
H.C.R. No. 34, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE
SUBMERGED LANDS AT WAIMANALO, KOOLAUPOKO, OAHU, FOR THE USE,
MAINTENANCE, AND REPAIR OF THE EXISTING SEAWALL AND STEPS,"

begs leave to report as follows:

The purpose and intent 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 fronting the
property identified as Tax Map Key Number (1)4-1-002:007,
Waimanalo, Koolauapoko, Oahu, for the use, maintenance, and repair
of a seawall and steps.

Your Committee finds that section 171-53, Hawaii Revised
Statutes, requires the prior approval of the Governor and prior
authorization of the Legislature by concurrent resolution to lease
state submerged lands.

Your Committee also finds that the seawall at issue was
constructed prior to the establishment of the Conservation
District in 1964. The seawall appears to have been constructed
during the 1930s, as supported by Map 1 of Land Court Application
977 and a letter dated January 23, 1931, by the Chairperson of the
Board of Harbor Commissioners, approving a request by the owner's
predecessor-in-interest to construct a concrete facing to the
present seawall.

HCR34 HD1 SSCR LRB 15-2587.doc



Your Committee further finds that on November 14, 2014, under agenda item D-21, the Board of Land and Natural Resources approved a grant of a fifty-five-year non-exclusive easement to resolve the encroachments.

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 H.C.R. No. 34, H.D. 1, and recommends its adoption.

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



JILL N. FUKUDA, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:
HCR 34, HDI	WTL, WAM	4/23/15

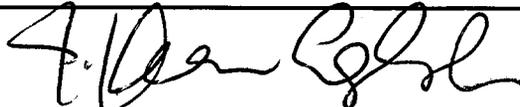
The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	/			
KOUCHI, Ronald D. (VC)				/
CHUN OAKLAND, Suzanne	/			
DELA CRUZ, Donovan M.				/
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood				/
HARIMOTO, Breene	/			
INOUYE, Lorraine R.	/			
RIVIERE, Gil	/			
RUDERMAN, Russell E.	/			
SLOM, Sam	/			
TOTAL	8			3

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: 

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 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes