

STAND. COM. REP. NO.

1522

Honolulu, Hawaii

MAR 30

, 2021

RE: H.C.R. No. 21

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 H.C.R. No. 21 entitled:

"HOUSE 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 and Napili Kai Beach Resort.

Your Committee finds that the existing walkway fronting private property located in Napili, 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 a term,

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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 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 H.C.R. No. 21 and recommends its adoption.

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


AARON LING JOHANSON, Chair



