

STAND. COM. REP. NO.

1508

Honolulu, Hawaii

MAR 30 2021

RE: S.C.R. No. 15
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred
S.C.R. No. 15, S.D. 1, entitled:

"SENATE 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 and intent of this measure is to authorize the
Board of Land and Natural Resources to issue a term, non-exclusive
easement covering a certain portion of state submerged lands
located in Lahaina, Maui.

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 prior approval of the Governor and prior
authorization of the Legislature by concurrent resolution for the
disposition of state submerged lands.

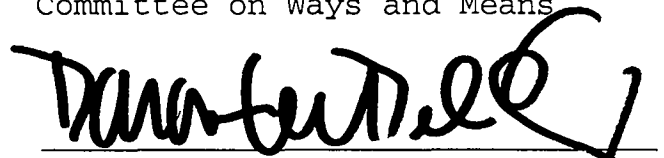
Your Committee also finds that portions of the existing
walkway fronting the property identified as Tax Map Keys: (2) 4-3-
002:026, 027, & 028, Napili 2 and 3, Lahaina, Maui, are located on
state submerged lands. Your Committee further finds that, on



June 28, 2019, under agenda item D-7, the Board of Land and Natural Resources approved a grant of a term, non-exclusive easement to resolve the walkway encroachment. Your Committee notes that the term of this easement is to run with the land and inure to the benefit of the abutting real property and to be coterminous with the term of the Grant of Non-Exclusive Easement No. S-5998, dated October 25, 2010.

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. 15, 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.:* SCR 15, SD 1	Committee Referral: WTL, WAM	Date: 3/30/21		
<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			
ENGLISH, J. Kalani	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	11			
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