

STAND. COM. REP. NO.

1917

Honolulu, Hawaii

APR 19 , 2021

RE: S.C.R. No. 87

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 S.C.R. No. 87 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KUAU, HAMAKUAPOKO, MAUI, FOR THE EXISTING SEAWALL AND CONCRETE STEPS, 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 Kuau, Hamakuapoko, Maui, for the existing seawall and concrete steps, 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, Sea & Believe LLC, and one individual.

Your Committee finds that an existing seawall and concrete steps fronting private property located at Kuau, Hamakuapoko, Maui, and spanning 1,613 square feet, encroach upon state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the previous owner,

2021-3160 SCR87 HSCR HMSO



Kahanu Family Limited Partnership, and the current owner, Sea & Believe LLC, to resolve the encroachment. The Board of Land and Natural Resources subsequently granted a 55-year non-exclusive easement to run with the land and inure to the benefit of the abutting real property to resolve the encroachment. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Kuau that have been encroached upon by the existing seawall and concrete steps, and for the use, repair, and maintenance of the existing improvements constructed thereon.

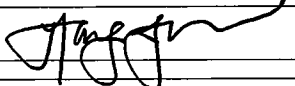
As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 87 and recommends its adoption.

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


AARON LING JOHANSON, Chair

House 1917

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: <u>SCR 87</u>		Committee Referral: <u>WAL, CPC</u>		Date: <u>4/15/21</u>	
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)					
CPC Members		Ayes	Ayes (WR)	Nays	Excused
1. JOHANSON, Aaron Ling (C)		✓			
2. KITAGAWA, Lisa (VC)		✓			
3. AQUINO, Henry J.C.		✓			
4. HAR, Sharon E.		✓			
5. HASHEM, Mark J.		✓			
6. KONG, Sam Satoru		✓			
7. MIZUNO, John M.					✓
8. MORIKAWA, Dee		✓			
9. ONISHI, Richard H.K.		✓			
10. TARNAS, David A.		✓			
11. MATSUMOTO, Lauren		✓			
TOTAL (11)		10	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation.					
Vice Chair's or designee's signature: 					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					