STAND. COM. REP. NO. 127

Honolulu, Hawaii 2013

RE: H.C.R. No. 28

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs, to which was referred H.C.R. No. 28 entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING PIER, SEAWALL, AND LANDSCAPING AREA, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON,"

beg leave to report as follows:

The purpose of this measure is to authorize the issuance of an easement relating to state submerged lands.

Specifically, this measure, pursuant to section 171-53, Hawaii Revised Statutes, authorizes the Board of Land and Natural Resources to issue a term, nonexclusive easement covering a portion of state submerged lands fronting the property identified as tax map key: (1) 4-4-037: seaward of 033, Kaneohe, Koolaupoko, Oahu, for the maintenance and repair of the existing pier, seawall, and landscaping area, and for the use, maintenance, and repair of the existing improvements constructed thereon.

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

At its meeting on July 27, 2012, the Board of Land and Natural Resources approved the grant of a fifty-five-year nonexclusive easement to resolve the encroachment on state

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submerged lands of a pier, seawall, and landscaped area at Kaneohe, Koolaupoko, Oahu. Your Committees find that this measure satisfies the requirements of section 171-53, Hawaii Revised Statutes, which requires the prior authorization of the Legislature by concurrent resolution to lease state submerged lands.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 28 and recommend that it be referred to the Committee on Finance.

> Respectfully submitted on behalf of the members of the Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs,

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Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HCL 28	Committee Referral: WAL DMH, FIN			Date: 3-15-13				
The committee is reconsidering its previous decision on the measure.								
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)								
WAL Members		Ayes	Ayes (WR) Nay		Nays	Excused		
1. EVANS, Cindy (C)		\checkmark						
2. LOWEN, Nicole E. (VC)		\checkmark						
3. COFFMAN, Denny		\checkmark						
4. CULLEN, Ty J.K.		\sim						
5. HANOHANO, Faye P.								
6. KAWAKAMI, Derek S.K.						V		
7. LEE, Chris						V		
8. FALE, Richard Lee								
9. THIELEN, Cynthia								
				-				
TOTAL (9)		5				3		
The recommendation is: Adopted If joint referral, did not support recommendation.								
Vice Chair's or designee's signature: Mitchell Char								
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO								



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Record of Votes of the Committee on Ocean, Marine Resources, & Hawaiian Affairs

Bill/Resolution No.: HCR 28	Committee Referral: WAL DMH o FIN	Date	Date: 3/15/2013					
The committee is reconsidering its previous decision on the measure.								
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)								
OMH Members	Ayes	Ayes (WR)	Nays	Excused				
1. HANOHANO, Faye P. (C)								
2. CULLEN, Ty J.K. (VC)								
3. COFFMAN, Denny								
4. EVANS, Cindy								
5. KAWAKAMI, Derek S.K.								
6. LEE, Chris								
7. LOWEN, Nicole E.								
8. FALE, Richard Lee								
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TOTAL (8)	- 4	/	Ø	3				
The recommendation is: I Adopted Not Adopted If joint referral,								
Vice Chair's or designee's signature: J.K. Cal								
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO								