STAND. COM. REP. NO. **1523** 

Honolulu, Hawaii

MAR 3 n ' 2021

RE: H.C.R. No. 22

H.D. 1

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. 22, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF TERM, NON-EXCLUSIVE EASEMENTS COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIOHULI-KEOKEA (KIHEI), WAILUKU, MAUI, FOR THE EXISTING SEAWALL, AND FOR USE, MAINTENANCE, AND REPAIR 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 Waiohuli-Keokea, Wailuku, Maui, for the existing seawall, 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.

Your Committee finds that the existing seawall fronting private property located in Waiohuli-Keokea, and spanning 928 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a 65-year non-exclusive easement to run with the land and to inure to the benefit of the abutting condominium property regime units 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 Waiohuli-Keokea that have been encroached upon by the seawall, 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. 22, H.D. 1, and recommends its adoption.

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

AARON LING JOHANSON, Chair

## State of Hawaii House of Representatives The Thirty-first Legislature #SCR 1523

## **Record of Votes of the Committee on Consumer Protection & Commerce**

Bill/Resolution No.: HCR 22 HD	Committee Referral: Date: 3/19/21			21
☐ 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)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. JOHANSON, Aaron Ling (C)				
2. KITAGAWA, Lisa (VC)				
3. AQUINO, Henry J.C.				
3. Agomo, henry J.c.				
4. HAR, Sharon E.	<b></b>		diministration of the second s	
5. HASHEM, Mark J.	V			
6. KONG, Sam Satoru				
o. Roro, Sam Satora				
7. MIZUNO, John M.			the first annual for an extensive two streets.	
		<u> </u>		
8. MORIKAWA, Dee				
9. ONISHI, Richard H.K.				
9. UNISHI, Kicharu H.K.				
10. TARNAS, David A.	<b>V</b>		til til ett i de lingvikkenslitter som	
11. MATSUMOTO, Lauren				
				1
TOTAL (11)	10	0	Ò	
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				