

JAN 17 2025

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# A BILL FOR AN ACT

RELATING TO FEDERAL LAND.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that article XI, section  
2 1, of the Hawaii State Constitution provides that "for the  
3 benefit of present and future generations, the State and its  
4 political subdivisions shall conserve and protect Hawaii's  
5 natural beauty and all natural resources, including land, water,  
6 air, minerals and energy sources, and shall promote the  
7 development and utilization of these resources in a manner  
8 consistent with their conservation and in furtherance of the  
9 self-sufficiency of the State. All public natural resources are  
10 held in trust by the State for the benefit of the people."  
11 Accordingly, the legislature believes that public lands should  
12 be managed in the spirit of malama aina, which calls for the  
13 State to care for the environment that sustains us and of which  
14 we are also a part.

15           The legislature further finds that large tracts of land in  
16 the State are being held by the United States government under  
17 claims of title or other arrangements besides express leases.



1 Many of these lands fell under the United States government when  
2 Hawaii was a territory and had minimal resources with which to  
3 engage in land-acquisition negotiations or other arrangements  
4 with the United States on any basis that would resemble equal  
5 bargaining power.

6 The legislature additionally finds that it is both  
7 appropriate and necessary for the State to conduct an inventory  
8 of lands held by the United States government that might  
9 reasonably be transferred back to the State.

10 Accordingly, the purpose of this Act is to establish an  
11 advisory committee to inventory lands held by the United States  
12 government in the State, and consult with the United States  
13 government to ascertain whether transfer might be appropriate,  
14 and the terms under which transfer might take place, including  
15 but not limited to remediation of environmental degradation that  
16 may have taken place on these properties.

17 SECTION 2. Chapter 171, Hawaii Revised Statutes, is  
18 amended by adding a new section to be appropriately designated  
19 and to read as follows:

20 "§171- Federal land; advisory committee. (a) There is  
21 established an advisory committee, consisting of not more than



1 fifteen members, to create an inventory of lands within the  
2 State that are held by the United States government, and which  
3 may feasibly be returned to the State, excluding the properties  
4 listed in subsection (d) and make recommendations to the  
5 department and department of health regarding the conditions of  
6 these lands and the potential for remediation of environmental  
7 degradation, the appropriateness of transferring these lands to  
8 the State, and the potential terms of transfer. The advisory  
9 committee shall be convened by the department and the department  
10 of health.

11 (b) The members of the advisory committee shall be  
12 appointed by the governor, shall serve without financial  
13 compensation, and shall include the following members or their  
14 designees:

15 (1) The chairperson of the board of land and natural  
16 resources;

17 (2) A senate committee chair with subject matter  
18 jurisdiction encompassing water and land;

19 (3) A house committee chair with subject matter  
20 jurisdiction encompassing water and land;

21 (4) Experts in environmental conservation;



- 1        (5) Experts in land remediation and restoration;
- 2        (6) Experts in Native Hawaiian traditional and customary
- 3            rights;
- 4        (7) Experts in the economic impact of the United States
- 5            government holding the relevant properties;
- 6        (8) Naval Facilities Engineering Systems Command experts
- 7            on remediation of military dumpsites of unexploded
- 8            ordinances and military debris; and
- 9        (9) Community stakeholders with extensive experience in
- 10           the relevant fields.

11        (c) The advisory committee shall communicate with

12 appropriate representatives of the United States government to

13 ascertain what properties may reasonably be transferred back to

14 the State and analyze the terms and conditions of potential

15 transfer, including but not limited to time frame, costs,

16 environmental clean-up, and other matters relating to relevant

17 property.

18        (d) The following properties shall be excluded from the

19 advisory committee's inventory:

- 20        (1) Joint Base Pearl Harbor-Hickam;
- 21        (2) Haleakala National Park;



- 1       (3) Hawaii Volcanoes National Park;
- 2       (4) World War II Valor in the Pacific National Monument,
- 3       including the USS Arizona Memorial;
- 4       (5) Puuhonua o Honaunau National Historical Park;
- 5       (6) Kalaupapa National Historical Park;
- 6       (7) All currently operating offices and other facilities
- 7       of the United States Postal Service; and
- 8       (8) The federal office building and courthouse in
- 9       Honolulu; and the federal detention center.

10       (e) The department and the department of health shall  
11 provide support staff and other technical assistance to the  
12 advisory committee as may be needed.

13       (f) The advisory committee shall submit annual reports of  
14 its findings and recommendations, including any proposed  
15 legislation, to the legislature no later than twenty days prior  
16 to the convening of each regular session beginning 2027. The  
17 advisory committee may submit additional reports to the  
18 legislature as it may deem appropriate.

19       (g) The advisory committee shall cease to exist on  
20 December 31, 2035."

21       SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *Mike Gattard*



# S.B. NO. 535

**Report Title:**

DLNR; DOH; Land Transfer; Advisory Committee; Reports

**Description:**

Establishes an Advisory Committee convened by the Department of Land and Natural Resources and the Department of Health to inventory lands owned by the United States government which may be reasonably transferred back to the State and to make recommendations on relevant land conditions and appropriateness of potential transfer. Requires reports to the Legislature.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

