

ACT 239

S.B. NO. 3401

A Bill for an Act Relating to Land Exchanges.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that the two largest land holders in the State of Hawaii are the military and the state government. The legislature further finds that there may be several parcels of land which, through good faith negotiation, would be appropriate subjects for return to the State of Hawaii by the United States.

The purpose of this Act is to establish a legislative task force to develop a land exchange and return plan between the military and other Federal Agencies and the State of Hawaii.

SECTION 2. There is established a legislative task force which shall consist of a member of the house of representatives and a member of the senate who shall be appointed by the speaker of the house and the president of the senate, respectively; the governor of the State of Hawaii or designated representative; the Commander-In-Chief of the Pacific (CINCPAC) or designated representative; a member of the Hawaii State Association of Counties; and a member of Hawaii's congressional delegation or designated representative. The legislative task force shall establish its own procedures and convene on a regular basis to:

- (1) Study and identify state and military lands which are suitable or potentially suitable for return to the State as surplus or excess property because there is no continuing need for such properties and for which the title could be acquired by:
 - (A) The operation of P.L. 88-233;
 - (B) The cancellation or modification of executive orders, proclamations, leases or licenses;
 - (C) The operation of public benefit discount transfers; and
 - (D) Land exchange;
- (2) Develop a plan or plans by which the return of land may be effected to the mutual benefit of both the State and the military in Hawaii; and
- (3) Make recommendations to the legislature, the United States Department of Defense, and Congress regarding which Hawaiian lands, if any, are suitable for return to the State.

SECTION 3. The legislative task force shall solicit information and viewpoints from the State and its various agencies, the several counties and their subdivisions, the general public, and any other parties with general, vested, or other interest in the disposition of Hawaiian lands. The legislative task force shall also study, evaluate, and take into consideration all previous deeds, cedings, and other prior dispositions which have or may have resulted in current ownership, leasehold, or other kinds of holding of Hawaiian lands which may come under scrutiny for possible return to the State of Hawaii pursuant to the purpose of the legislative task force.

SECTION 4. The legislative task force shall prepare and submit an interim report on its activities to the legislature prior to the convening of the regular session of 1989, and a final report containing its findings and recommendations for transfer of lands to the regular session of 1990, and at the same time to Congress; the United States Department of Defense; the General Services Administration; the Department of Interior; the Governor of the State of Hawaii; and the Office of Hawaiian Affairs. Upon filing of the final report and recommendations, the legislative task force shall be dissolved.

SECTION 5. This Act shall take effect upon its approval.

(Approved June 8, 1988.)