

JAN 26 2011

A BILL FOR AN ACT

RELATING TO PUBLIC LANDS.

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

1 SECTION 1. The legislature finds that the story of the
2 100th Infantry Battalion/442nd Regimental Combat Team (RCT) is
3 linked to Hawaii as well as the rest of United States. It is a
4 story of Americans who went to war to prove their loyalty and to
5 overcome prejudice, a story of honor and sacrifice. It is also
6 a story in danger of being lost for generations to come.

7 The legislature further finds that a proposed Legacy Center
8 for the 100th/442nd RCT would promote the story of the
9 100th/442nd RCT and preserve a mounting collection of historical
10 material including photographs, letters, documents,
11 publications, artifacts, audio-visual material, and wartime
12 memorabilia. The Center would also serve as a focus for the
13 presentation of the archived materials as an educational
14 resource facility for students, teachers, researchers, authors,
15 and the general public.

16 The Center would include a library for study and research
17 and the housing of the veterans' oral history program;
18 classrooms for study, lectures, and audio-visual presentations;



1 and a visual exhibit space. In addition, the Center is
2 envisioned as a gathering place where people can go in honor of
3 those who served in the 110th/442nd.

4 The legislature further finds that the proposed location
5 for the Center is on the slopes of Diamond Head, adjacent to the
6 Kapiolani community college campus. Located at the corner of
7 Diamond Head road and Makapuu avenue, the property is owned by
8 the State of Hawaii, under the control and management of the
9 department of land and natural resources. The parcel is part of
10 tax map key: 3-1-042:020. The total area is seven acres, of
11 which approximately four acres was set aside in 1999 for use by
12 the University of Hawaii Kapiolani community college through
13 Executive Order No. 3791. The balance of the parcel is
14 presently used by the State for storage and maintenance of
15 vehicles.

16 The purpose of this Act is to transfer 1.5 acres adjacent
17 to the approximately 3.993 acres set aside by Executive Order
18 No. 3791, to the University of Hawaii Kapiolani community
19 college, for a proposed Legacy Center for the 100th/442nd RCT.

20 SECTION 2. Notwithstanding any law to the contrary, the
21 University of Hawaii Kapiolani community college shall have
22 jurisdiction and administrative authority over 1.5 acres



1 adjacent to the approximately 3.993 acres previously set aside
2 by Executive Order No. 3791, to the University of Hawaii
3 Kapiolani community college, for a proposed Legacy Center for
4 the 100th/442nd RCT.

5 SECTION 3. All appropriations, records, equipment,
6 machines, files, supplies, contracts, books, papers, documents,
7 maps, and other personal property heretofore made, used,
8 acquired, or held by the department of land and natural
9 resources relating to the parcel of land transferred to the
10 University of Hawaii Kapiolani community college shall be
11 transferred with the lands to which they relate.

12 SECTION 4. The jurisdiction, functions, powers, duties,
13 and authority exercised by the department of land and natural
14 relating to the 1.5 acre land parcel shall be transferred to and
15 conferred upon the University of Hawaii Kapiolani community
16 college by this Act.

17 The University of Hawaii Kapiolani community college shall
18 succeed to all of the rights and powers previously exercised,
19 and all of the duties and obligations incurred, by the
20 department of land and natural resources in the exercise of the
21 functions, powers, duties, and authority transferred, whether



1 such functions, powers, duties, and authority are mentioned in
2 or granted in any law, contract, or other document.

3 All rules, policies, procedures, guidelines, and other
4 material adopted or developed by the department of land and
5 natural resources to implement the provisions of the Hawaii
6 Revised Statutes which are reenacted or made applicable to the
7 University of Hawaii Kapiolani community college by this Act,
8 shall remain in full force and effect until amended or repealed
9 by the University of Hawaii Kapiolani community college pursuant
10 to chapter 91, Hawaii Revised Statutes. In the interim, every
11 reference to the department of land and natural resources or
12 chairperson of the board of land and natural resources in those
13 rules, policies, procedures, guidelines, and other material is
14 amended to refer to the University of Hawaii Kapiolani community
15 college or the chancellor of the University of Hawaii Kapiolani
16 community college, as appropriate.

17 All deeds, leases, contracts, loans, agreements, permits,
18 or other documents executed or entered into by or on behalf of
19 the department of land and natural resources pursuant to the
20 provisions of the Hawaii Revised Statutes, which are reenacted
21 or made applicable to the University of Hawaii Kapiolani
22 community college by this Act, shall remain in full force and



1 effect. Every reference to the department of land and natural
 2 resources or the chairperson of the board of land and natural
 3 resources therein shall be construed as a reference to the
 4 University of Hawaii Kapiolani community college or the
 5 chancellor of the University of Hawaii Kapiolani community
 6 college, as appropriate.

7 SECTION 5. This Act shall take effect upon its approval.
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Report Title:

Public Lands; University of Hawaii, Department of Land and Natural Resources; Legacy Center

Description:

Transfers 1.5 acres adjacent to the approximately 3.993 acres set aside by Executive Order No. 3791, to the University of Hawaii Kapiolani community college, for a proposed Legacy Center for the 100th/442nd RCT.

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