

STAND. COM. REP. NO. 400

Honolulu, Hawaii

FEB 16 2023

RE: S.B. No. 521  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committees on Public Safety and Intergovernmental and Military Affairs and Water and Land, to which was referred S.B. No. 521 entitled:

"A BILL FOR AN ACT RELATING TO MILITARY LAND USE,"

beg leave to report as follows:

The purpose and intent of this measure is to build upon Act 93, Session Laws of Hawaii 2021, by creating a long-term task force to proactively plan for the remediation and restoration of lands currently under federal control that are anticipated to be returned to the State, consider potential alternative uses, and identify any lands that should continue under federal control for the next ten years.

Your Committees received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and two individuals. Your Committees received comments on this measure from the Department of the Attorney General, Office of Hawaiian Affairs, Department of Land and Natural Resources, Office of Planning and Sustainable Development, and Hawaii Military Affairs Council.

Your Committees find that many properties in the State are under claim of federal ownership or control and are being, or have been, used as military facilities. This use has resulted in contamination to the water and soil on and adjacent to many of



these properties, or has created hazards, such as the presence of unexploded ordnance. To address these issues, the Legislature passed Act 93, Session Laws of Hawaii 2021, which required the Office of Planning and Sustainable Development to submit an inventory report of all lands within the State that are leased to the federal government or under federal government control. Your Committees believe that upcoming expirations or renewals of land leases between the State and the United States government provide opportunities for the return of ceded lands. This measure will allow the State to be proactive in identifying and reacquiring any lands deemed appropriate by creating a long-term task force to proactively plan for the remediation and restoration of lands currently under federal control that are anticipated to be returned to the State, consider potential alternative uses, and identify any lands that should continue under federal control for the next ten years.

Your Committees have amended this measure by:

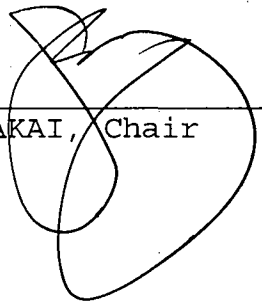
- (1) Clarifying that the Office of Planning and Sustainable Development shall provide all necessary administrative, professional, technical, and clerical support required by the task force;
- (2) Requiring the task force to submit one report prior to the convening of the Regular Session of 2025, instead of a preliminary report prior to 2024 and second report prior to 2025; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 521, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 521, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committees on Public Safety and  
Intergovernmental and Military  
Affairs and Water and Land,


  
LORRAINE R. INOUE, Chair

  
GLENN WAKAI, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i


**Record of Votes**  
**Committee on Public Safety and Intergovernmental and Military Affairs**  
**PSM**

Bill / Resolution No.:* <b>SB521</b>	Committee Referral: <b>PSM/WTL, JDC/WAM</b>	Date: <b>2/13/23</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
FUKUNAGA, Carol	✓			
MCKELVEY, Angus L.K.	✓			
AWA, Brenton			✓	
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 521	PSM/WTL, JDC/WAM	2/13/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.	✓			
FEVELLA, Kurt				✓
<b>TOTAL</b>	4	ϕ	ϕ	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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