

JAN 22 2015

A BILL FOR AN ACT

RELATING TO LEGISLATIVE JURISDICTION.

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

1 SECTION 1. The purpose of this Act is to cede concurrent
2 legislative jurisdiction to the United States as to specific
3 property that was acquired by or for the United States
4 Department of the Navy after the Hawaii Statehood Act of 1959,
5 Public Law 86-3. Concurrent legislative jurisdiction already
6 exists as to properties controlled or owned by the United States
7 for Defense or Coast Guard purposes as of the Hawaii Statehood
8 Act. This Act would achieve uniformity in the jurisdiction over
9 the Navy's land in Hawaii and would allow for reciprocal law
10 enforcement authority.

11 SECTION 2. Section 1-4.5, Hawaii Revised Statutes, is
12 amended to read as follows:

13 " [f] §1-4.5 [f] Cession of concurrent jurisdiction. (a)
14 Notwithstanding the provisions of any other law, the State of
15 Hawaii hereby cedes concurrent legislative jurisdiction to the
16 United States over the following:



S.B. NO. 138

- 1 (1) ~~[lands]~~ Lands and improvements located in the State
- 2 presently owned or hereafter acquired, whether
- 3 acquired by condemnation or otherwise, leased,
- 4 occupied, or controlled by or for the United States
- 5 Department of Justice, or any of its component
- 6 agencies or bureaus, for correctional purposes[-]; and
- 7 (2) Lands and improvements located in the State presently
- 8 owned, whether acquired by condemnation or otherwise,
- 9 by or for the United States Department of the Navy, or
- 10 any of its component agencies or bureaus, for defense
- 11 purposes, for lands identified by tax map key numbers
- 12 4-8-14:6, 9-1-10:11, 9-1-10:15, 9-1-10:16, 9-7-18:3,
- 13 9-7-18:10, 9-7-18:19, 9-9-71:45, 9-9-01:08, 9-9-01:12,
- 14 4-1-2-02:11, 4-1-2-02-12, 4-1-2-02:15, 7-1-01-28, 7-1-
- 15 01:39, 7-1-1:40, 7-1-01:41, 7-1-01:42, 7-1-01:43, 7-1-
- 16 01-44, 7-1-02:35, and 7-1-02:36, and portions of 7-1-
- 17 02-05, 7-1-02:09, 7-1-02:31, 7-1-02:32, and 7-1-02:33,
- 18 and the portion of Lehua avenue situated at Waimano
- 19 and Manana, Ewa, Oahu, Hawaii, as described in the
- 20 deed of conveyance filed December 17, 1965, in the

1 bureau of conveyances beginning at liber 5212, page
2 348.

3 (b) Cession of concurrent legislative jurisdiction, in
4 accordance with subsection (a), shall only take effect upon the
5 acceptance of such jurisdiction by the United States. The
6 concurrent legislative jurisdiction so ceded shall end as to any
7 such lands, improvements, or such portions thereof, that cease
8 to be owned, leased, occupied, or controlled by or on behalf of
9 the United States for correctional purposes.

10 (c) The State of Hawaii retains concurrent legislative
11 jurisdiction, both civil and criminal, with the United States
12 over all lands specified in subsection (a)."

13 SECTION 3. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun before its effective date.

16 SECTION 4. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

Will Syro

~~NC. Finch~~
Will Syro



S.B. NO. 138

Report Title:

Legislative Jurisdiction; Concurrent

Description:

Cedes concurrent legislative jurisdiction to the United States for certain lands owned by the Navy or its components.

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

