

JAN 24 2007

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# A BILL FOR AN ACT

RELATING TO MILITARY INSTALLATIONS.

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

1           SECTION 1. The legislature finds that, in December 2001,  
2 the United States Congress authorized a new round of military  
3 installation and base realignments and closures to be  
4 implemented in 2005. In the past, certain base closings  
5 resulted because of the loss of the effectiveness of a military  
6 installation that was caused by the encroachment on the  
7 installation by nearby civilian urban growth.

8           The legislature further finds that all branches of the  
9 United States armed services in Hawaii are not only vital  
10 contributors to the economy of the State but are also  
11 productive, contributing community members.

12           The purpose of this Act is to require sufficient notice to  
13 commanding officers of military installations in the State of:

14           (1) Proposed zoning changes on lands within three thousand  
15 feet or two miles (depending on the size of the  
16 population of the county) of any military  
17 installation; and



1 (2) Any petitions for land use district boundary  
 2 amendments for any lands within three thousand feet or  
 3 two miles (depending on the size of the population of  
 4 the county) of any military installation,  
 5 thus affording military authorities an opportunity to raise any  
 6 concerns they may have about urban encroachment on military  
 7 installations that could adversely affect the effectiveness and  
 8 preparedness of the installation; and participate in any public  
 9 hearings or contested case proceedings, as applicable.

10 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended  
 11 by adding a new section to be appropriately designated and to  
 12 read as follows:

13 "§46- Notice of zoning change application within three  
 14 thousand feet or two miles of any military installation. (a)  
 15 Any county planning department or commission that processes a  
 16 zoning change application shall notify the authorities of any  
 17 military installation:

- 18 (1) Within three thousand feet, for counties with a  
 19 population of five hundred thousand or more residents;  
 20 or  
 21 (2) Within two miles, for counties with a population of  
 22 fewer than five hundred thousand residents,



1 of any land that is the subject of the zoning change  
2 application, in accordance with the county's rules for public  
3 hearings.

4 (b) As used in this section, "military installation" means  
5 any military base, airport, or camp."

6 SECTION 3. Chapter 205, Hawaii Revised Statutes, is  
7 amended by adding a new section to be appropriately designated  
8 and to read as follows:

9 "§205- Notice of petition for district boundary  
10 amendment for land within three thousand feet or two miles of  
11 any military installation. (a) A copy of any petition for a  
12 district boundary amendment of any land:

13 (1) Within three thousand feet, for counties with a  
14 population of five hundred thousand or more residents;  
15 or

16 (2) Within two miles, for counties with a population of  
17 fewer than five hundred thousand residents,  
18 of any military installation, whether processed pursuant to  
19 section 205-3.1 or 205-4, shall be served upon the appropriate  
20 commanding officer of the military installation. The copy of  
21 the petition shall be accompanied by a notice of any scheduled  
22 hearing on the petition.

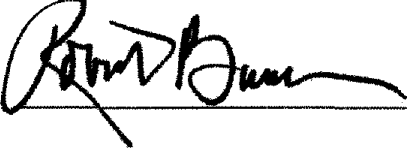


1        (b) As used in this section, "military installation" means  
2 any military base, airport, or camp."

3        SECTION 4. New statutory material is underscored.

4        SECTION 5. This Act shall take effect on July 1, 2007.

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INTRODUCED BY: 



**Report Title:**

Military Installations

**Description:**

Requires notification to the commanding officer of a military installation of zoning change applications and district boundary amendment petitions for land within 3,000 feet or 2 miles (depending on county population) of a military installation.

