
SENATE CONCURRENT RESOLUTION

REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A TASK
FORCE TO MAKE RECOMMENDATIONS ON THE APPROPRIATE LEASE RENT
FOR THE MAUNA KEA SUMMIT LANDS.

1 WHEREAS, the Mauna Kea summit land is the home to advanced
2 technology telescopes owned by world's leading astronomy
3 institutions and universities, with at least thirteen
4 observatories, some of which are multi-million dollar projects,
5 making it the top spot for land-based star-gazing; and

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7 WHEREAS, the Mauna Kea summit land is ceded land and part
8 of the public land trust; and

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10 WHEREAS, a lease agreement dated June 21, 1968, for a term
11 of sixty-five years, between the Department of Land and Natural
12 Resources as lessor, and the University of Hawaii as lessee, for
13 the lease of the Mauna Kea forest reserve does not provide for
14 any lease rent amount; and

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16 WHEREAS, instead of charging lease rent, the university
17 reportedly requires each facility to provide a percentage of its
18 observatory time to the UH Astronomy Institute; and

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20 WHEREAS, a long-standing and genuine issue has arose as to
21 the amount of lease rent that should be paid for use of the
22 Mauna Kea Summit land; and

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24 WHEREAS, there are conflicting interests in this matter
25 which involve the State, the University of Hawaii (via the
26 Institute for Astronomy), and Native Hawaiian stakeholders; and

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28 WHEREAS, a task force is necessary to bring parties
29 together to confer and cooperate to reach a mutually agreeable
30 solution to the issue; now, therefore,

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32 BE IT RESOLVED by the Senate of the Twenty-third
33 Legislature of the State of Hawaii, Regular Session of 2006, the



1 House of Representatives concurring, that the Office of Hawaiian
2 Affairs is requested to convene a task force to study the
3 leasing of public lands comprising the Mauna Kea Summit; and
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5 BE IT FURTHER RESOLVED that the task force consist of
6 representatives of the Office of Hawaiian Affairs, Department of
7 Land and Natural Resources, University of Hawaii by its
8 Institute for Astronomy, Royal Order of Kamehameha O Mamalahoa,
9 Heiau Helu 'Elua (the one not affiliated with the University of
10 Hawaii), Mauna Kea Anaina Hou, Sierra Club-Hawaii Chapter, and
11 any other interested parties approved by any of these three
12 entities; and
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14 BE IT FURTHER RESOLVED that the Office of Hawaiian Affairs
15 is requested to report to the Legislature no later than twenty
16 days prior to the convening of the Regular Session of 2007, with
17 findings and recommendations as follows:
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- 19 (1) The appropriate amount of lease rent that should that
20 the University of Hawaii should pay to the State for
21 rent of the Mauna Kea Summit land, and the method of
22 calculation of this lease rent;
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- 24 (2) The appropriate amount of lease rent or other
25 remuneration for use that the University of Hawaii
26 should charge to entities operating telescopes on the
27 Mauna Kea Summit, and the method of calculation of
28 such charges;
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- 30 (3) The application of the funds that would be derived
31 from paragraphs (1) and (2), respectively;
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- 33 (4) Any other relevant matters affecting paragraphs (1),
34 (2), and (3); and
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- 36 (5) Proposed legislation;
37

38 and
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40 BE IT FURTHER RESOLVED that certified copies of this
41 Concurrent Resolution be transmitted to the Chairperson of the
42 Board of Land and Natural Resources, President of the University
43 of Hawaii, University of Hawaii Institute for Astronomy, the
44 Royal Order of Kamehameha O Mamalahoa, Heiau Helu 'Elua (the one



1 not affiliated with the University of Hawaii), Mauna Kea Anaina
2 Hou, Sierra Club-Hawaii Chapter, and the Chair of the Board of
3 Trustees of the Office of Hawaiian Affairs.

