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## SENATE RESOLUTION

ESTABLISHING A SENATE SPECIAL COMMITTEE 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 special committee 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,  
34 that a Senate Special Committee is established pursuant to Rule



1 14(3) of the Rules of the Senate to study the leasing of public  
2 lands comprising the Mauna Kea Summit; and

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4 BE IT FURTHER RESOLVED that the Senate Special Committee be  
5 composed of the Chair of the Committee on Higher Education, as  
6 Task Force Chair; Chair of the Committee on Water, Land, and  
7 Agriculture; and Chair of the Committee on Transportation and  
8 Government Operations; and a minority member to be selected by  
9 Minority Leader; and

10  
11 BE IT FURTHER RESOLVED that the Department of Land and  
12 Natural Resources, Office of Hawaiian Affairs, and University of  
13 Hawaii Institute of Astronomy are requested to consult with and  
14 provide input to the Senate Special Committee for purposes of  
15 this measure; and

16  
17 BE IT FURTHER RESOLVED that the Senate Special Committee is  
18 requested to report to the Legislature no later than twenty days  
19 prior to the convening of the Regular Session of 2007, with  
20 findings and recommendations as follows:

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- 22 (1) The appropriate amount of lease rent that the
- 23 University of Hawaii should pay to the State for rent
- 24 of the Mauna Kea Summit land, and the method of
- 25 calculation of this lease rent;
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- 27 (2) The appropriate amount of lease rent or other
- 28 remuneration for use that the University of Hawaii
- 29 should charge to entities operating telescopes on the
- 30 Mauna Kea Summit, and the method of calculation of
- 31 such charges;
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- 33 (3) The application of the funds that would be derived
- 34 from paragraphs (1) and (2), respectively;
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- 36 (4) Any other relevant matters affecting paragraphs (1),
- 37 (2), and (3); and
- 38
- 39 (5) Proposed legislation;
- 40

41 and

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43 BE IT FURTHER RESOLVED that certified copies of this  
44 Resolution be transmitted to the Chairperson of the Board of



1 Land and Natural Resources, President of the University of  
2 Hawaii, University of Hawaii Institute for Astronomy, Chair of  
3 the Board of Trustees of the Office of Hawaiian Affairs, and  
4 Senate President.

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OFFERED BY: *Armanie Q. Brown*

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