

STAND. COM. REP. NO. 169

Honolulu, Hawaii

Feb 11, 2009

RE: H.B. No. 1174  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Higher Education, to which was referred  
H.B. No. 1174 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII,"

begs leave to report as follows:

The purpose of this bill is to help protect the state's  
precious cultural and natural resources and ensure public health  
and safety, by allowing the University of Hawaii (UH) to adopt  
administrative rules to regulate activities at and within the  
Mauna Kea lands, or the lands UH leases from the Board of Land and  
Natural Resources. Additionally, the bill allows UH to provide  
for procedures to enforce these rules, and to assess and collect  
administrative fines for violations of these rules.

The bill also establishes the Mauna Kea Management Special  
Fund, into which shall be deposited all revenues, rents, fees,  
charges, assessments, fines, and other moneys collected by UH in  
connection with its oversight and management of the Mauna Kea  
lands.

UH testified in support of this bill. The Office of Hawaiian  
Affairs, KAHEA, and a concerned individual opposed this measure.

Your Committee has amended this bill by:


HB1174 HD1 HSCR HED HMS 2009-1861



- (1) Clarifying that the UH Board of Regents shall be exempt from the public notice, public hearing, and gubernatorial approval requirements of chapter 91, Hawaii Revised Statutes, in its establishment and revision of rents, fees, and charges payable in connection with the lease or use of UH real property and facilities as related to the oversight and management of the Mauna Kea lands; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1174, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1174, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Higher Education,

  
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JERRY L. CHANG, Chair



