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## A BILL FOR AN ACT

RELATING TO MAUNA KEA.

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

1           SECTION 1. Chapter 304A, Hawaii Revised Statutes, is  
2 amended by adding a new section to subpart O of part IV to be  
3 appropriately designated and to read as follows:

4           "§304A-       Report to the legislature. The board of  
5 regents shall submit an annual report to the legislature on the  
6 fair market lease rates under section 304A-1902(b) and the  
7 revenues transferred to the public land trust fund under section  
8 304A-2170(b)(3)."

9           SECTION 2. Section 304A-1902, Hawaii Revised Statutes, is  
10 amended by amending subsection (b) to read as follows:

11           "(b) The board of regents may enter into lease agreements  
12 for the Mauna Kea lands; provided that the University of Hawaii  
13 shall comply with all statutory requirements in the disposition  
14 of ceded lands[-]; provided further that when the board of  
15 regents calculates the pro rata share of ceded land revenues to  
16 be transferred to the office of Hawaiian Affairs for the lease  
17 of Mauna Kea lands, the amount to be transferred shall be based



1 upon the fair market value of using Mauna Kea lands or of using  
2 facilities and programs related to the Mauna Kea lands."

3 SECTION 3. Section 304A-2170, Hawaii Revised Statutes, is  
4 amended by amending as follows:

5 1. By amending subsection (b) to read:

6 "(b) The proceeds of the special fund shall be used for:

7 (1) Managing the Mauna Kea lands, including maintenance,  
8 administrative expenses, salaries and benefits of  
9 employees, contractor services, supplies, security,  
10 equipment, janitorial services, insurance, utilities,  
11 and other operational expenses; [~~and~~]

12 (2) Enforcing administrative rules adopted relating to the  
13 Mauna Kea lands[~~-~~]; and

14 (3) Transferring for deposit into the public land trust  
15 fund at least twenty per cent of the lease revenues  
16 derived under section 304A-1902(b) as the portion of  
17 revenues subject to section 10-13.5; provided that the  
18 lease revenue calculation shall not include any offset  
19 for the provision of in-kind services."

20 2. By amending subsection (e) to read:

21 "(e) All expenditures from the special fund shall be  
22 subject to legislative appropriation[~~-~~], except for the



1 transfers of lease revenues to the public land trust fund under  
2 subsection (b)(3)."

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

5 SECTION 5. This Act shall take effect on July 1, 2014.

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JAN 14 2014



# H.B. NO. 1689

**Report Title:**

UH; Mauna Kea; Lease Revenues: Public Land Trust Fund

**Description:**

Requires UH to use a fair market value rate for the lease of its Mauna Kea lands when calculating the 20% pro rata share of lease revenues to the public land trust fund in fulfillment of the university's pro rata share of ceded land revenues owed to the office of Hawaiian affairs. Requires reports to the legislature.

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

