
A BILL FOR AN ACT

RELATING TO MAUNA KEA.

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

PART I

SECTION 1. The legislature finds that Mauna Kea serves as an important cultural and genealogical site to the people of Hawaii, particularly to Native Hawaiians. The summit region of Mauna Kea is a spiritual and special place of significance that is home to cultural landscapes, fragile habitats, and historical and archaeological artifacts. Due to its topographical prominence, Mauna Kea is also a highly valued site for astronomical study, which produces many significant discoveries that contribute to humanity's study and understanding of the universe. However, in recent years, Mauna Kea has come to symbolize a rigid dichotomy between culture and science, often leading to polarization between stakeholders on Mauna Kea and local communities. Therefore, resolving the management issues of Mauna Kea is an issue of the highest priority in the State.

The legislature further finds that on March 4, 2021, the Hawaii house of representatives adopted House Resolution No. 33,



1 H.D. 1, Regular Session of 2021, to reconcile this
2 mismanagement, mistrust, and polarization by convening a working
3 group to develop recommendations, building on the findings of
4 the Independent Evaluation of the Implementation of the Mauna
5 Kea Comprehensive Management Plan, for a new governance and
6 management structure for Mauna Kea that collaboratively engages
7 with all stakeholders, particularly the Native Hawaiian
8 community.

9 The purpose of this Act is to establish the Mauna Kea
10 stewardship and oversight authority to manage.

11 SECTION 2. The Hawaii Revised Statutes is amended by
12 adding a new chapter to be appropriately designated and to read
13 as follows:

14 **"CHAPTER**

15 **MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY**

16 § -1 **Definitions.** As used in this chapter, unless the
17 context otherwise requires:

18 "Authority" means the Mauna Kea stewardship and oversight
19 authority.

20 "Chairperson" means the chairperson of the Mauna Kea
21 stewardship and oversight authority.



1 "Land" includes all interests therein and natural resources
2 including water, minerals, and all things connected with land,
3 unless expressly provided otherwise.

4 "Lease" means the contractual right to possess and use a
5 specified portion of land for a term of years.

6 "Mauna Kea lands" means all lands under the aegis of the
7 Mauna Kea stewardship and oversight authority above the
8 elevation of nine thousand two hundred feet.

9 "Person" includes an individual, a partnership, a
10 corporation, or an association, except as otherwise defined in
11 this chapter.

12 **§ -2 Mauna Kea stewardship and oversight authority;**

13 **established.** (a) There is established the Mauna Kea
14 stewardship and oversight authority, which shall be a body
15 corporate and a public instrumentality of the State for the
16 purpose of implementing this chapter. The authority shall serve
17 in the role previously held by the University of Hawaii board of
18 regents and the president. The authority shall be placed within
19 the University of Hawaii, Hilo, for administrative purposes.

20 (b) The authority shall consist of eleven voting members;
21 provided that all members shall be appointed by the governor,



1 subject to section 26-34. The chancellor of the University of
2 Hawaii, Hilo shall serve as an ex officio nonvoting member. The
3 voting members shall include:

4 (1) The chairperson of the board of land and natural
5 resources, or the chairperson's designee;

6 (2) The chairperson of the board of trustees of the office
7 of Hawaiian affairs, or the chairperson's designee;

8 (3) The chairperson of the Board of Regents of the
9 University of Hawaii, or a member of the board of
10 regents to serve as the designee;

11 (4) An individual with 'āina resource management expertise
12 and a track record of Hawaii island-based management;

13 (5) An individual who is recognized in the fields of
14 educational in p-12 public education or post-secondary
15 education;

16 (6) A representative selected by the Mauna Kea
17 Observatories;

18 (7) An individual with business and finance experience who
19 has previous administrative experience in managing a
20 large private-sector business;



1 (8) An individual who is a lineal descendent of a
2 practitioner of native Hawaiian traditional and
3 customary practices associated with Mauna Kea;
4 (9) An individual who is a recognized practitioner of
5 native Hawaiian traditional and customary practices
6 associated with Mauna Kea; and
7 (10) Two members shall be appointed by the governor from a
8 list of three names submitted for each appointment by
9 the president of the senate and speaker of the house
10 of representatives; provided that if fewer than three
11 names are submitted for either appointment, the
12 governor may disregard the list;
13 provided further that three of the eleven members of the
14 authority shall be residents of the county of Hawaii.
15 A majority of all members shall constitute a quorum to do
16 business, and the concurrence of a majority of all members shall
17 be necessary to make any action of the authority valid. All
18 members shall continue in office until their respective
19 successors have been selected, or appointed and confirmed by the
20 senate; provided that a member shall not holdover beyond the



1 first legislative session following the expiration of the
2 member's term of service.

3 (c) The authority shall elect the chairperson from among
4 its voting members.

5 (d) Notwithstanding section 26-34(a), with respect to
6 length and amount of terms, the members of the authority shall
7 serve for a term of three years and shall not serve more than
8 four partial or full terms; provided that the initial terms
9 shall be staggered, as determined by the governor.

10 (e) The authority shall be financially self-sustaining
11 after the first year following the transitional period pursuant
12 to section -4. The authority's day-to-day operations shall
13 be led by the existing executive director of the center of Mauna
14 Kea for the transition period established in section -4.

15 (f) The authority shall determine its administration
16 organizational structure and expertise needs, including but not
17 limited to employing rangers to serve as education, general
18 safety, and outreach resources; provided that the authority
19 shall appoint a board secretary, who shall also serve as
20 executive assistant, without regard to chapter 76; provided



1 further that not more than five per cent of the authority's
2 budget shall be expended on administrative expenses.

3 (g) The authority shall establish its offices in the
4 county of Hawaii at the University of Hawaii, Hilo.

5 § -3 Powers and responsibilities; generally. (a)

6 Except as otherwise limited by this chapter, the authority may:

7 (1) Make and execute contracts, leases, and all other
8 instruments necessary or convenient for the exercise
9 of its powers and functions under this chapter;

10 (2) Make and alter bylaws for its organization and
11 internal management;

12 (3) Adopt rules pursuant to chapter 91 for the purposes of
13 this chapter;

14 (4) Adopt rules pursuant to chapter 92 for the purposes of
15 this chapter;

16 (5) Appoint officers, agents, and employees, prescribe
17 their duties and qualifications, and fix their
18 salaries, subject to chapters 76 and 89;

19 (6) Provide advisory, consultative, training, and
20 educational services; technical assistance; and advice
21 to any person, partnership, or corporation, either



1 public or private, to carry out the purposes of this
2 chapter, and engage the services of consultants on a
3 contractual basis for rendering professional and
4 technical assistance and advice;

5 (7) Procure insurance against any loss in connection with
6 its property and other assets and operations in
7 amounts and from insurers as it deems desirable;

8 (8) Contract for and accept gifts or grants in any form
9 from any public agency or from any other source;

10 (9) Adopt rules governing the procurement and purchase of
11 goods, services, and construction, subject to the
12 requirements of chapter 103D; and

13 (10) Do any and all things necessary to carry out its
14 purposes and exercise the powers granted in this
15 chapter.

16 (b) Notwithstanding any other law to the contrary, the
17 authority shall:

18 (1) Be the principal authority in conjunction with the
19 department of land and natural resources for the
20 management of state-managed lands on Mauna Kea under



1 its jurisdiction, as identified pursuant to section

2 -6;

3 (2) Provide oversight and protect traditional and
4 customary native Hawaiian rights, as set forth in the
5 Hawaii State Constitution, and not unduly burden
6 individuals exercising these rights;

7 (3) Establish a process that establishes transparency,
8 analysis, and justification for lease terms;

9 (4) Be prohibited from selling, gifting, transferring, or
10 exchanging its land;

11 (5) Engage in community dialogue, outreach, engagement,
12 and consultation processes, as appropriate, on
13 significant matters on at least an annual basis and
14 more frequently, as needed;

15 (6) Consider various supplemental revenue sources to be
16 deposited into the Mauna Kea management special fund,
17 to the extent permitted by law; and

18 (7) Timely decommission the California Institute of
19 Technology (Caltech) Submillimeter Telescope and the
20 University of Hawaii, Hilo Hōkūkeʻa Teaching Telescope.



1 § -4 Transition; management plan. (a) The authority
2 shall have a transition period of three years beginning
3 July 1, 2023; provided that all of the initial members have been
4 confirmed by the senate; provided further that the initial
5 authority members elect a chairperson pursuant to -2(c) to
6 assume management and oversight of Mauna Kea lands.

7 (b) The authority shall assume management of Mauna Kea
8 lands and develop a management plan to govern land uses; human
9 activities, uses, and access, including permitted uses for
10 frequent and seasonal users; stewardship; education; research;
11 disposition; and overall operations. The management plan may:

- 12 (1) Be developed during the transition period;
13 (2) Be finalized, approved, and operational by the end of
14 the transition period;
15 (3) Be updated at least every ten years with a focus on
16 long-term, comprehensive, coordinated planning for all
17 of the Mauna Kea lands;
18 (4) Consider the State's energy and sustainability goals,
19 as well as impacts to climate change, including
20 adapting to climate change and developing mitigation
21 measures to climate change;



(5) Incorporate indigenous management and cultural processes and values; and

(6) Include an aspirational statement to acknowledge and contextualize unresolved social justice issues that underpin Mauna Kea.

(c) The authority shall complete the Mauna Kea master lease negotiations and continue to work toward resolving subleases.

§ -5 Astronomy development; framework. The authority shall develop a framework for astronomy development on Mauna Kea that may include limitations on the number of astronomy facilities or an astronomy facility footprint limitation; provided that in establishing a framework for astronomy development on Mauna Kea, the authority may establish a plan to return the Mauna Kea lands above the nine thousand two hundred feet elevation line to their natural state at such time that ground-based observatories lose their academic or research value.

§ -6 Oversight jurisdiction. (a) The authority shall have oversight jurisdiction of lands that are state-managed lands above the nine thousand two hundred foot elevation line on



1 Mauna Kea, inclusive of Pu'u Huluhulu to the summit of Mauna Kea.
2 The authority shall have jurisdiction over the science reserve
3 on Mauna Kea.

4 (b) For lands not within the authority's oversight
5 jurisdiction on Mauna Kea lands above the nine thousand two
6 hundred foot elevation line, the authority shall enter into
7 cooperative agreements, as necessary, with the department of
8 Hawaiian home lands, county of Hawaii, and private landowners
9 whose lands are within the jurisdictional boundaries.

10 § -7 Advisory groups; Native Hawaiian culture. (a) The
11 authority may establish advisory groups to advise the authority
12 in its management of Mauna Kea lands; provided that the
13 authority shall establish an astronomy advisory group and Native
14 Hawaiian advisory group, with preference for Hawaii island
15 resident participation, to provide advice and guidance to the
16 authority on their respective subject matters; provided further,
17 for the transitional period pursuant to section -4, the
18 authority shall maintain the Mauna Kea Management Board and Kahu
19 Kū Mauna to serve this purpose.



1 (b) Any advisory groups established pursuant to this
2 section shall convene regularly and be consulted on a broad
3 range of issues relating to their respective purview.

4 (c) The authority may adopt and shall be guided by the
5 following operational values and principles:

6 (1) Mauna Aloha - Understanding the reciprocal value of
7 the mauna and a long-term commitment to maintaining
8 the integrity of Mauna Kea;

9 (2) 'Ōpū Kupuna - Understanding and embracing a duty and
10 accountability to Mauna Kea, the natural environment,
11 and to perpetuate the Hawaiian cultural values
12 embedded in the sacred landscape of the mauna; and

13 (3) Holomua 'Oi Kelakela - Driven by creativity and
14 innovation, constantly challenging the status quo,
15 with a stewardship of Mauna Kea that is informed based
16 on existing knowledge and traditions, as well as on
17 new and expanding knowledge. The authority is mindful
18 and observant of needs, trends, and opportunities and
19 seek new knowledge and opportunities in ways that
20 enhance the ability to serve as stewards without
21 jeopardizing the foundation of 'āina aloha.



1 **§ -8 Annual report.** The authority shall submit an
2 annual report to the legislature at least twenty days prior to
3 the convening of each regular session, beginning with the
4 regular session of 2024. The report shall include:

- 5 (1) A review of the authority's management actions;
6 (2) A review of the implementation of all legislatively
7 required plans, including financial and management
8 plans;
9 (3) A review of the impacts of human uses on the natural
10 and cultural resources of Mauna Kea;
11 (4) An assessment of cumulative impacts to Mauna Kea; and
12 (5) A review of all community dialogue, outreach,
13 engagement, and consultation.

14 **§ -9 Access and use; restrictions; orientation;**
15 **entryway.** (a) The authority may limit commercial use and
16 activities of Mauna Kea lands to astronomy use and activities
17 and adopt rules pursuant to chapter 91 to designate areas for
18 permissible use; provided that the authority's rules shall
19 define "commercial use".

20 (b) The authority shall require an application for all
21 recreational uses, including fees, and create guidelines on



1 potential limits by monitoring the impacts of recreational use
2 over time.

3 (c) The authority may require all individuals accessing
4 Mauna Kea lands to undergo an annual orientation anchored by the
5 authority's guiding operational values and principles; provided
6 that all employees, contractors, leaseholders, and others who
7 regularly access Mauna Kea shall have more extensive training on
8 the authority's guiding operational values and principles
9 pursuant to section -7(c).

10 (d) The authority may determine an appropriate site for an
11 entryway to Mauna Kea as a way to capture information about
12 users, establish an education outreach post, collect fees, and
13 close access to Mauna Kea lands in case of an emergency.

14 (e) Notwithstanding subsection (a), the authority shall
15 authorize the University of Hawaii not less than seven per cent,
16 but up to fifteen per cent, of viewing time at the telescopes.

17 § -10 Lease provisions; generally. Every lease issued
18 by the authority shall contain:

19 (1) The specific use or uses to which the land is to be
20 employed;



- 1 (2) The improvements required; provided that a minimum
2 reasonable time be allowed for the completion of the
3 improvements;
- 4 (3) Restrictions against alienation as set forth in
5 section -11;
- 6 (4) The rent, as established by the authority or at public
7 auction, which shall be payable no more than one year
8 in advance, in monthly, quarterly, semiannual, or
9 annual payments;
- 10 (5) Where applicable, adequate protection of forests,
11 watershed areas, game management areas, wildlife
12 sanctuaries, and public hunting areas, reservation of
13 rights-of-way and access to other public lands, public
14 hunting areas, game management areas, or public
15 beaches, and prevention of nuisance and waste; and
- 16 (6) Other terms and conditions as the authority deems
17 advisable to more nearly effectuate the purposes of
18 the Hawaii State Constitution and of this chapter.

19 § -11 Lease restrictions; generally. (a) Except as
20 otherwise provided, the following restrictions shall apply to
21 all leases:



- 1 (1) Options for renewal of terms shall be subject to
2 approval by a supermajority vote;
- 3 (2) Leases that are for a term longer than sixty-five
4 years or renewal of terms that result in a total term
5 of more than sixty-five years shall be subject to
6 approval by a supermajority vote;
- 7 (3) No lease shall be made to any person who is in arrears
8 in the payment of taxes, rents, or other obligations
9 owed to the State or any county;
- 10 (4) No lease shall be transferable or assignable, except
11 by devise, bequest, or intestate succession; provided
12 that with the approval of the authority, the
13 assignment and transfer of a lease or unit thereof may
14 be made in accordance with current industry standards,
15 as determined by the authority; provided further that
16 before the approval of any assignment of lease, the
17 authority shall have the right to review and approve
18 the consideration to be paid by the assignee and may
19 condition its consent to the assignment of the lease
20 on payment by the lessee of a premium based on the
21 amount by which the consideration for the assignment,



1 whether by cash, credit, or otherwise, exceeds the
2 depreciated cost of improvements and trade fixtures
3 being transferred to the assignee; provided further
4 that with respect to state agricultural leases, in the
5 event of foreclosure, the premium, if any, shall be
6 assessed only after the encumbrances of record and any
7 other advances made by the holder of a security
8 interest are paid; and

9 (5) Mineral and metallic rights and surface and ground
10 water shall be reserved to the State.

11 (b) The authority, from time to time, upon the issuance or
12 during the term of any intensive agricultural, aquaculture,
13 commercial, mariculture, special livestock, pasture, or
14 industrial lease, may:

15 (1) Provide input on the modification or elimination on
16 any of the restrictions specified in subsection (a);

17 (2) Extend or modify the fixed rental period of the lease;
18 provided that the aggregate of the initial term and
19 any extension granted shall not exceed sixty-five
20 years, except as provided in section -11(a)(2); or

21 (3) Extend the term of the lease,



1 to the extent necessary to qualify the lease for mortgage
2 lending or guaranty purposes with any federal mortgage lending
3 agency, to qualify the lessee for any state or private lending
4 institution loan, private loan guaranteed by the State, or any
5 loan in which the State and any private lender participates, or
6 to amortize the cost of substantial improvements to the demised
7 premises that are paid for by the lessee without institutional
8 financing.

9 (c) Any extension authorized pursuant to subsection (b)
10 shall be based on the economic life of the improvements as
11 determined by the authority or an independent appraiser;
12 provided that the approval of any extension shall be subject to
13 the following:

14 (1) The demised premises shall have been used
15 substantially for the purpose for which they were
16 originally leased;

17 (2) The aggregate of the initial term and any extension
18 granted shall not be for more than sixty-five years,
19 except as provided by section -11(a)(2);

20 (3) Any federal or private lending institution shall be
21 qualified to do business in the State;



1 (4) Proceeds of any mortgage or loan shall be used solely
2 for the operations or improvements on the demised
3 premises;

4 (5) Where improvements are financed by the lessee, the
5 lessee shall submit receipts of expenditures within a
6 time period specified by the authority or else the
7 lease extension shall be canceled; and

8 (6) The rules of the authority setting forth any
9 additional terms and conditions, which shall ensure
10 and promote the purposes of the demised lands.

11 (d) The authority, at any time during the term of any
12 intensive agricultural, aquaculture, or mariculture lease and
13 when justified by sound economic practices or other
14 circumstances, may permit an alternative agricultural,
15 aquaculture, or mariculture use or uses for any portion or
16 portions of the land demised. As a condition to permitting
17 alternative uses, the authority may require any other
18 modifications, including rental adjustments or changes in the
19 lease, as may be necessary to effect or accommodate the
20 alternative use or uses. An alternative use or uses may be
21 allowed by the authority upon:



1 (1) The application of the lessee;

2 (2) Consent of each holder of record having a security
3 interest in the leasehold; and

4 (3) A finding by the authority that the alternative use or
5 uses are in the public interest.

6 (e) The authority, from time to time during the term of
7 any agriculture, intensive agriculture, aquaculture, commercial,
8 mariculture, special livestock, pasture, or industrial lease,
9 may modify or eliminate any of the restrictions specified in
10 subsection (a), extend or modify the fixed rental period of the
11 lease, or extend the term of the lease upon a showing of
12 significant economic hardship directly caused by:

13 (1) State disaster, pursuant to chapter 209, including
14 seismic or tidal wave, tsunami, hurricane, volcanic
15 eruption, typhoon, earthquake, flood, or severe
16 drought; or

17 (2) A taking of a portion of the area of the lease by
18 government action by eminent domain, withdrawal, or
19 conservation easement; provided that the portion taken
20 shall not be less than ten per cent of the entire
21 leased area unless otherwise approved by the



1 authority; provided further that the authority
2 determines that the lessee will not be adequately
3 compensated pursuant to the lease provisions.

4 (f) The approval of any extension granted pursuant to
5 subsection (e) shall be subject to the following:

6 (1) The demised premises have been used substantially for
7 the purposes for which they were originally leased;

8 (2) The aggregate of the initial term and any extension
9 granted shall not be for more than fifty-five years,
10 except as provided by section -11(a)(2);

11 (3) The rental shall not be less than the rental for the
12 preceding term;

13 (4) The rules of the authority setting forth any
14 additional terms and conditions, which shall ensure
15 and promote the purposes of the demised lands; and

16 (5) The length of the extension shall not exceed a
17 reasonable length of time for the purpose of providing
18 relief and shall in no case exceed five years, except
19 as provided by section -11(a)(2).

20 § -12 Planning; generally. Before any notice of
21 intended disposition, the authority shall:



- 1 (1) Determine the specific use or uses for which the
2 disposition is intended;
- 3 (2) Parcel land into units of minimum size areas related
4 to the intended specific use or uses and sufficient
5 for an economic operation, hereinafter called an
6 "economic unit";
- 7 (3) Determine the upset price or lease rental, based upon
8 the fair market value of the land employed to the
9 specific use or uses for which the disposition is
10 being made, with due consideration for all of the
11 terms and conditions of the disposition;
- 12 (4) Determine the necessary conditions of disposition that
13 will discourage speculation;
- 14 (5) In the case of leases, determine the minimum tenure
15 necessary to support the intended use or uses and the
16 necessity for periodic rent openings in long-term
17 leases to assure the State a fair return;
- 18 (6) Prepare the proposed documents and make them available
19 for public inspection; and
- 20 (7) Determine, two years before the expiration of the term
21 of any lease, whether the premises are to be demised



1 for the same use or uses under a new lease or whether
2 all or any part thereof is to be reserved for other
3 use or uses and then promptly notify the lessee of the
4 determination.

5 **§ -13 Rules.** The authority may, after the transitional
6 three-year period established in section -4, adopt rules
7 pursuant to chapter 91 on the management, stewardship,
8 oversight, and protection of lands and cultural resources. The
9 rules adopted under this section shall following existing laws,
10 rules, ordinances, and regulations as closely as is consistent
11 with standards to meet minimum requirements of good design,
12 health, safety, and coordinated development.

13 **§ -14 Mauna Kea management special fund.** (a) There is
14 established the Mauna Kea management special fund into which
15 shall be deposited:

- 16 (1) Appropriations from the legislature;
17 (2) Moneys from supplemental sources as authorized by the
18 authority pursuant to the powers granted by this
19 chapter;
20 (3) Any grant or donation made to the special fund; and



(4) Any interest earned on the balance of the special fund.

(b) Proceeds from the special fund shall be used for administration, capital improvement projects, and other purposes pursuant to this chapter.

§ -15 **Issuance of bonds.** The director of finance may, from time to time, issue general obligation bonds pursuant to chapter 39 in amounts authorized by the legislature for the purposes of this chapter.

§ -16 **Audit.** The auditor shall conduct a performance and financial audit of the Mauna Kea stewardship and oversight authority and shall submit a report on findings and recommendations to the legislature on or before the convening of the regular session of 2029."

SECTION 3. All moneys in the Mauna Kea lands management special fund established pursuant to section 304A-2170, Hawaii Revised Statutes, shall be deposited in the Mauna Kea management special fund established pursuant to section -14, in section 2 of this Act.

PART II



1 SECTION 4. The University of Hawaii board of regents and
2 president shall exercise the authority granted to them by part
3 IV, subpart O, of chapter 304A, Hawaii Revised Statutes, only to
4 the extent as necessary to allow the Mauna Kea stewardship and
5 oversight authority, established pursuant to part I of this Act,
6 to assume authority of Mauna Kea lands; provided that the
7 University of Hawaii board of regents and the president shall
8 cooperate and work collaboratively with the authority to support
9 and ensure the successful transition of stewardship and
10 oversight of the Mauna Kea lands; provided further that the
11 University of Hawaii, Hilo shall provide all necessary support
12 to the Mauna Kea stewardship and oversight authority consistent
13 with the purposes of this Act, including equitably funding the
14 Authority.

15 PART III

16 SECTION 5. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$12,000,000 or so
18 much thereof as may be necessary for fiscal year 2022-2023 for
19 startup costs for the Mauna Kea stewardship and oversight
20 authority.



1 The sum appropriated shall be expended by the University of
2 Hawaii, Hilo for the purposes of this Act.

3 SECTION 6. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2022-2023 for
6 one full-time equivalent (1.0 FTE) executive assistant position,
7 who shall also serve as secretary to the authority, and who
8 shall be exempt from chapter 76, Hawaii Revised Statutes, to
9 support the Mauna Kea stewardship and oversight authority.

10 The sum appropriated shall be expended by the University of
11 Hawaii, Hilo for the purposes of this Act.

12 PART IV

13 SECTION 7. The revisor of statutes shall insert the
14 effective date of this Act in the appropriate locations in
15 section 2 of this Act.

16 SECTION 8. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 9. This Act shall take effect on January 1, 2055;
19 provided that if the auditor finds, in the report required under
20 section -16 in section 2 of this Act, that the Mauna Kea
21 stewardship and oversight authority is unfit to continue to



1 serve in its stewardship and oversight role, then on

2 December 31, 2029:

3 (1) Parts I and II of this Act shall be repealed; and

4 (2) The management authority over Mauna Kea lands, as

5 defined in section 304A-1901, Hawaii Revised Statutes,

6 shall revert back to the University of Hawaii board of

7 regents and president.



Report Title:

Mauna Kea Stewardship and Oversight Authority; Established;
Appropriation

Description:

Establishes the Mauna Kea Stewardship and Oversight Authority as the principal authority for management of state-managed lands above the 9,200 feet elevation line on Mauna Kea, in conjunction with the Department of Land and Natural Resources. Requires the authority to manage land uses; human activities, uses, and access; stewardship; education; research; disposition; and overall operations. Authorizes the Authority to develop a framework to allow astronomy development on Mauna Kea. Authorizes the Authority to establish advisory groups. Allows the Authority to limit certain commercial use and activities on Mauna Kea. Requires the Authority to allow the University of Hawaii a certain amount of viewing time at the telescopes. Provides certain restrictions on leases. Requires the timely decommissioning of certain telescopes. Requires an application and fee for all recreational users of Mauna Kea. Establishes the Mauna Kea Management Special Fund. Requires an audit of the Mauna Kea Stewardship and Oversight Authority. Reverts management to the University of Hawaii Board of Regents and President if the audit finds the Authority unfit to continue. Appropriates funds. Effective 1/1/2055. (SD1)

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