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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 0 of part IV to be  
3 appropriately designated and to read as follows:

4 "§304A- Report to the legislature. The board of regents  
5 shall submit an annual report to the legislature on:

6 (1) The fair market value-based rents it calculated under  
7 section 304A-1902(b); and

8 (2) The amounts transferred to the office of Hawaiian  
9 affairs for the use of Mauna Kea lands pursuant to Act  
10 178, Session Laws of Hawaii 2006 and section 304A-  
11 1902, which shall be reported as both a percentage of  
12 actual rents and fees collected and a percentage of  
13 the fair market value-based rent calculated under  
14 section 304A-1902(b)."

15 SECTION 2. Section 304A-1902, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "[+] §304A-1902 [+] Mauna Kea lands; fees; lease agreements.

18 (a) The board of regents may charge [~~a-fee~~] rents and fees for



1 use of the Mauna Kea lands, and for the use of facilities and  
2 programs related to the Mauna Kea lands. The rents and fees  
3 charged shall be deposited into the Mauna Kea lands management  
4 special fund established under section 304A-2170.

5 (b) The board of regents may enter into lease agreements  
6 for the Mauna Kea lands; provided that the University of Hawaii  
7 shall comply with all statutory requirements in the disposition  
8 of ceded lands[-]; provided further that for purposes of  
9 satisfying the requirements of Act 178, Session Laws of Hawaii  
10 2006, and the executive order issued by the governor to  
11 implement its provisions, instead of calculating and  
12 transferring to the office of Hawaiian affairs a portion of the  
13 actual receipts collected from the lease of Mauna Kea lands, the  
14 board of regents shall calculate and transfer to the office of  
15 Hawaiian affairs, a portion of the amount that the rent would  
16 have been for each parcel of Mauna Kea land leased, if the rent  
17 charged for that parcel had been based upon the fair market  
18 value of the use of the parcel.

19 (c) In establishing the fees, the board of regents shall  
20 be exempt from the public notice, public hearing, and  
21 gubernatorial approval requirements of chapter 91; provided that  
22 the fees shall be established at an open public meeting pursuant



1 to chapter 92. [~~The fees shall be deposited into the Mauna Kea~~  
2 ~~lands management special fund established under section 304A-~~  
3 ~~2170.] "~~

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

6 SECTION 4. This Act shall take effect on July 1, 2525.



**Report Title:**

UH; Mauna Kea Lands; Lease Revenues; Mauna Kea Lands Management  
Special Fund

**Description:**

Requires the transfer to the Office of Hawaiian Affairs of ceded  
land proceeds from Mauna Kea be based on the calculation of the  
fair market value of the use of the land rather than on the  
actual amounts collected to satisfy the requirements of Act 178,  
Session Laws of Hawaii 2006. Effective July 1, 2525. (HB1689  
HD2)

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

