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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. Section 195H-8, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3 "(b) Beginning after the transition period has expired,  
4 any lease executed by the authority for an astronomical  
5 observatory shall include reserved viewing or observing time of  
6 not less than seven per cent of the total amount of viewing or  
7 observing time provided by the astronomical observatory for the  
8 University of Hawaii, as negotiated by the authority[-];

9 provided that reserved viewing or observing time shall not be  
10 accepted in lieu of rent. The university shall give priority on  
11 the use of the reserved viewing or observing time to projects  
12 that include the participation of:

13 (1) Hawaii students, including:

14 (A) Graduate and undergraduate students of the  
15 University of Hawaii;

16 (B) Students of Hawaii public schools operated by the  
17 department of education; and



1 (C) Students from any other school, public or  
2 private, in which education is provided to  
3 students in the medium of the Hawaiian language,  
4 in whole or in part, or that includes a Hawaiian  
5 language proficiency requirement for graduation;  
6 and

7 (2) Projects curated and submitted by the University of  
8 Hawaii at Hilo Imiloa astronomy center."

9 SECTION 2. Section 195H-12, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "[~~§~~195H-12~~§~~] **Lease provisions; generally.** Each lease  
12 issued by the authority shall contain the following provisions:

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

15 (2) The improvements required; provided that a minimum  
16 reasonable time be allowed for the completion of the  
17 improvements;

18 (3) Restrictions against alienation;

19 (4) The rent, as established by independent appraisal or  
20 rules of the authority, or both, or at public auction,  
21 which shall be payable not more than one year in



1 advance, in monthly, quarterly, semiannual, or annual  
2 payments; provided that rent shall be commensurate  
3 with rents charged for similar astronomical  
4 observatories globally;

5 (5) Where applicable, adequate protection of forests,  
6 watershed areas, game management areas, wildlife  
7 sanctuaries, and public hunting areas, reservation of  
8 rights-of-way and access to other public lands, public  
9 hunting areas, game management areas, or public  
10 beaches, and prevention of nuisance and waste;

11 (6) If the lease is for an astronomical observatory,  
12 reserved viewing or observing time in accordance with  
13 section 195H-8(b); and

14 (7) Other terms and conditions as the authority deems  
15 advisable to more nearly effectuate the purposes of  
16 the Hawaii State Constitution and of this chapter."

17 SECTION 3. This Act does not affect rights and duties that  
18 matured, penalties that were incurred, and proceedings that were  
19 begun before its effective date.

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



# H.B. NO. 2332

1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:



JAN 22 2024



# H.B. NO. 2532

**Report Title:**

MKSOA; Mauna Kea; Observatories; Rentals at Fair Market Rent

**Description:**

Requires rent on Mauna Kea to be commensurate with rents charged for similar astronomical observatories globally. Provides that in leases negotiated by the Mauna Kea Stewardship and Oversight Authority reserved viewing or observing time shall not be accepted in lieu of rent.

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

HB HMIA 2024-18-04

