

Honolulu, Hawaii

APR 10 2026

RE: H.B. No. 2592  
H.D. 2  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred H.B. No. 2592, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify the powers of the Mauna Kea Stewardship and Oversight Authority (MKSOA) so that it may carry out its intended duties regarding land use on Mauna Kea;
- (2) Authorize MKSOA to own or hold real property and transfer as a matter of law certain real property interests in the Mauna Kea lands to MKSOA;
- (3) Extend the transition period to December 1, 2029;
- (4) Require the University of Hawaii to transfer various Mauna Kea astronomical observatory conservation district use permits to the astronomical observatories;
- (5) Add a reversion date of December 1, 2032;



- (6) Provide that the existing plans and administrative rules adopted or developed by the University of Hawaii under which Mauna Kea is currently governed remain in effect until plans and administrative rules adopted by MKSOA take effect;
- (7) Clarify that MKSOA has state sovereign immunity; and
- (8) Authorize MKSOA to extend leases and subleases before the transfer for up to an additional ten-year term.

Your Committees received testimony in support of this measure from the Mauna Kea Stewardship and Oversight Authority, Hawai'i Island Chamber of Commerce, Kona-Kohala Chamber of Commerce, Mauna Kea Observatories, and one individual.

Your Committees received testimony in opposition to this measure from twenty-two individuals.

Your Committees received comments on this measure from the Department of the Attorney General, Department of Land and Natural Resources, and University of Hawai'i System.

Your Committees find that Mauna Kea is a place of deep culture and historical significance. Complexities surrounding land tenure and evolving land use decisions underscore the need for thoughtful, balanced governance. Greater statutory clarity is needed to support a smooth transition in management authority over Mauna Kea lands to ensure that the MKSOA may effectively carry out its management duties. Your Committees further find that providing ample time for transition, allowing MKSOA to consider short-term lease extensions, and supporting regulatory continuity by retaining existing management plans and administrative rules would reduce uncertainty for lessees, particularly astronomical observatories. This measure will clarify and strengthen the governance framework of MKSOA and balance considerations for Native Hawaiian cultural and environmental resources with astronomical research.

Your Committees note the concern raised by the Department of the Attorney General that for state and public lands, the State or state agency with management control over the parcel must sign a conservation district use permit (CDUP) application as landowner



pursuant to section 13-5-31(b), Hawaii Administrative Rules. Accordingly, each existing CDUP for the astronomical observatories on Mauna Kea was signed by the University of Hawaii as the lessee with management authority over the Mauna Kea lands. As the successor state agency with management authority over the relevant property, MKSOA would be the most appropriate assignee of the CDUPs. Consequently, requiring the University of Hawaii to transfer the applicable CDUPs to MKSOA without amendment is impractical as the University would have no management authority, control, or other property interest over the property. Your Committees further note the concern that this measure, in its current form, does not explicitly provide MKSOA with the authority to extend the existing leases and subleases before the expiration of the transition period. Thus, amendments to this measure are necessary to address these concerns.

Your Committees have amended this measure by:

- (1) Deleting language that would have authorized MKSOA to own or hold real property;
- (2) Replacing language that would have transferred fee simple interest in the Mauna Kea lands to MKSOA with language clarifying that only the University of Hawaii's leasehold interest shall transfer to MKSOA with the leased-fee interest remaining with the Department of Land and Natural Resources;
- (3) Requiring MKSOA to adopt a management plan for Mauna Kea lands before June 30, 2028;
- (4) Requiring MKSOA to send to the Governor proposed administrative rules in accordance with the management plan before December 31, 2029;
- (5) Deleting language that would have required the University of Hawaii to transfer each applicable conservation district use permit and its rights and obligations to each astronomical observatory to MKSOA without amending the terms and conditions of any permit;
- (6) Deleting language that would have established a reversion date of December 1, 2032;




- (7) Inserting language specifying that Act 255, Session Laws of Hawaii 2022, shall be repealed and management authority over Mauna Kea lands shall revert to the University of Hawaii if MKSOA fails to:
- (A) Adopt a management plan before June 30, 2028; or
  - (B) Send to the Governor proposed administrative rules in accordance with the management plan before December 31, 2029;
- (8) Inserting language authorizing MKSOA to extend existing leases and subleases before the expiration of the transition period;
- (9) Amending section 2 to reflect the amended purpose of part II of this measure; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2592, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2592, H.D. 2, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committees on Judiciary and  
Ways and Means,

  
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DONOVAN M. DELA CRUZ, Chair

  
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KARL RHOADS, Chair





