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# A BILL FOR AN ACT

RELATING TO NATURAL RESOURCE MANAGEMENT.

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

1 PART I

2 SECTION 1. Act 255, Session Laws of Hawaii 2022, is  
3 amended by amending section 18 to read as follows:

4 "SECTION 18. This Act shall take effect on July 1, 2022;  
5 provided that [part]:

6 (1) Part IV shall take effect on July 1, 2028[-]; and

7 (2) If the auditor finds, in the report required under  
8 section 6 of this Act, that the transfer of authority,  
9 responsibility, and duties pursuant to this Act is not  
10 substantially complete, then on December 31, 3031:

11 (A) Parts II, III, and IV of this Act shall be  
12 repealed and sections 28-8.3, 76-16, and chapter  
13 304A, part IV, subpart O, Hawaii Revised  
14 Statutes, shall be reenacted in the form in which  
15 it read on the day before the effective date of  
16 this Act; provided further that the amendments



- 1                   made to section 76-16, Hawaii Revised Statutes,
- 2                   by:
- 3                   (i) Section 2 of Act 42, Session Laws of Hawaii
- 4                                   2023;
- 5                   (ii) Section 2 of Act 186, Session Laws of Hawaii
- 6                                   2023;
- 7                   (iii) Section 2 of Act 66, Session Laws of Hawaii
- 8                                   2024;
- 9                   (iv) Section 1 of Act 79, Session Laws of Hawaii
- 10                                  2024;
- 11                   (v) Section 2 of Act 131, Session Laws of Hawaii
- 12                                  2024;
- 13                   (vi) Section 2 of Act 165, Session Laws of Hawaii
- 14                                  2024;
- 15                   (vii) Section 3 of Act 209, Session Laws of Hawaii
- 16                                  2024;
- 17                   (viii) Section 2 of Act 247, Session Laws of Hawaii
- 18                                  2024;
- 19                   (ix) Section 1 of Act 57, Session Laws of Hawaii
- 20                                  2025;



1            (x) Section 1 of Act 132, Session Laws of Hawaii  
2                            2025; and  
3            (xi) Section 5 of Act 302, Session Laws of Hawaii  
4                            2025,  
5                            shall not be repealed when section 76-16, Hawaii  
6                            Revised Statutes, is reenacted on December 31,  
7                            2031, pursuant to this subparagraph; and  
8            (B) Management authority over Mauna Kea lands, as  
9                            defined in section 304A-1901, Hawaii Revised  
10                           Statutes, shall revert to the university of  
11                           Hawaii."

PART II

13            SECTION 2. (a) Notwithstanding any other law to the  
14 contrary:

15            (1) The lease between the board of land and natural  
16                            resources and the university of Hawaii that was  
17                            entered into on June 21, 1968, as General Lease  
18                            S-4191, as amended on September 21, 1999, as General  
19                            Lease S-5529, and that is transferred to the Mauna Kea  
20                            stewardship and oversight authority pursuant to part  
21                            II of Act 255, Session Laws of Hawaii 2022; and



1           (2) Any other lease or easement between the board of land  
2           and natural resources and the university of Hawaii  
3           pertaining to Mauna Kea lands that is currently in  
4           effect, expires on December 31, 2033, and is  
5           transferred to the Mauna Kea stewardship and oversight  
6           authority pursuant to part II of Act 255, Session Laws  
7           of Hawaii 2022,  
8           shall be extended, by operation of law, for a period of ten  
9           years, to expire on December 31, 2043; provided that nothing in  
10          this subsection shall be construed to amend, or authorize the  
11          amendment of, any other term or provision within the respective  
12          lease or easement except for the date upon which the lease or  
13          easement expires; provided further that nothing in this  
14          subsection shall be construed to affect the transfer of powers,  
15          functions, and duties from the university of Hawaii to the Mauna  
16          Kea stewardship and oversight authority pursuant to part II of  
17          Act 255, Session Laws of Hawaii 2022, or the Mauna Kea  
18          stewardship and oversight authority's power to manage Mauna Kea  
19          lands after the end of the transition period pursuant to section  
20          195H-7, Hawaii Revised Statutes, or any other law.



1 (b) Notwithstanding section 195H-6(f), Hawaii Revised  
2 Statutes, or any other law to the contrary, and subject to the  
3 agreement of the respective astronomical observatory, all  
4 subleases of Mauna Kea lands to astronomical observatories shall  
5 be extended for a period of ten years, to expire on  
6 December 31, 2043; provided that nothing in this subsection  
7 shall be construed to amend, or authorize the amendment of, any  
8 other term or provision within a respective sublease except for  
9 the date upon which the sublease expires.

10 (c) For the purposes of this section:

11 "Astronomical observatory" means any person or entity that  
12 leases any portion of Mauna Kea lands for the purpose of  
13 operating a telescope observatory or for other astronomical  
14 research purposes.

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

17 SECTION 4. This Act shall take effect on July 1, 2050.



# S.B. NO. 2003 S.D. 1

**Report Title:**

Mauna Kea Lands; UH; MKSOA; Auditor; Act 255, SLH 2022; Leases; Subleases; Extension

**Description:**

Provides for the repeal of the Mauna Kea Stewardship and Oversight Authority and reversion of management authority over Mauna Kea lands to the University of Hawaii upon a recommendation from the Auditor that the Authority is unfit to continue management of Mauna Kea lands. Authorizes the Authority to extend existing leases and subleases for up to an additional ten-year term. Effective 7/1/2050. (SD1)

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

