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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 as follows:

4 1. By amending section 9 to read:

5 "SECTION 9. ~~[All]~~ No later than July 1, 2030, all  
6 appropriations, records, equipment, machines, files, supplies,  
7 contracts, books, papers, documents, maps, and other personal  
8 property heretofore made, used, acquired, or held by the  
9 University of Hawaii relating to the functions transferred to  
10 the Mauna Kea stewardship and oversight authority shall be  
11 transferred with the functions to which they relate."

12 2. By amending section 18 to read:

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

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

16 (2) If the timelines specified in this Act, including the  
17 timeline for the transfer of authority,



1           responsibility, and duties, have not been met, then on  
2           December 31, 2031:

3           (A) Parts II, III, and IV of this Act shall be  
4           repealed and sections 28-8.3, 76-16, and  
5           chapter 304A, part IV, subpart O, Hawaii Revised  
6           Statutes, shall be reenacted in the form in which  
7           it read on the day before the effective date of  
8           this Act; provided further that the amendments  
9           made to section 76-16, Hawaii Revised Statutes,  
10          by:

11          (i) Section 2 of Act 42, Session Laws of Hawaii  
12          2023;

13          (ii) Section 2 of Act 186, Session Laws of Hawaii  
14          2023;

15          (iii) Section 2 of Act 66, Session Laws of Hawaii  
16          2024;

17          (iv) Section 1 of Act 79, Session Laws of Hawaii  
18          2024;

19          (v) Section 2 of Act 131, Session Laws of Hawaii  
20          2024;



1                    (vi) Section 2 of Act 165, Session Laws of Hawaii  
2    2024;  
3                    (vii) Section 3 of Act 209, Session Laws of Hawaii  
4    2024;  
5                    (viii) Section 2 of Act 247, Session Laws of Hawaii  
6    2024;  
7                    (ix) Section 1 of Act 57, Session Laws of Hawaii  
8    2025;  
9                    (x) Section 1 of Act 132, Session Laws of Hawaii  
10    2025; and  
11                    (xi) Section 5 of Act 302, Session Laws of Hawaii  
12    2025,  
13                    shall not be repealed when section 76-16, Hawaii  
14                    Revised Statutes, is reenacted on  
15                    December 31, 2031, pursuant to this subparagraph;  
16                    and  
17                    (B) Management authority over Mauna Kea lands, as  
18                    defined in section 304A-1901, Hawaii Revised  
19                    Statutes, shall revert to the university of  
20                    Hawaii."  
21



1 PART II

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

4 (1) The lease between the board of land and natural  
5 resources and the university of Hawaii that was  
6 entered into on June 21, 1968, as General Lease  
7 S-4191, as amended on September 21, 1999, as General  
8 Lease S-5529, and that is transferred to the Mauna Kea  
9 stewardship and oversight authority pursuant to  
10 part II of Act 255, Session Laws of Hawaii 2022; and

11 (2) Any other lease or easement between the board of land  
12 and natural resources and the university of Hawaii  
13 pertaining to Mauna Kea lands that is currently in  
14 effect, expires on December 31, 2033, and is  
15 transferred to the Mauna Kea stewardship and oversight  
16 authority pursuant to part II of Act 255, Session Laws  
17 of Hawaii 2022,

18 shall be extended, by operation of law, for a period of ten  
19 years, to expire on December 31, 2043; provided that nothing in  
20 this subsection shall be construed to amend, or authorize the  
21 amendment of, any other term or provision within the respective



1 lease or easement except for the date upon which the lease or  
2 easement expires; provided further that nothing in this  
3 subsection shall be construed to affect the transfer of powers,  
4 functions, and duties from the university of Hawaii to the Mauna  
5 Kea stewardship and oversight authority pursuant to part II of  
6 Act 255, Session Laws of Hawaii 2022, or the Mauna Kea  
7 stewardship and oversight authority's power to manage Mauna Kea  
8 lands after the end of the transition period pursuant to  
9 section 195H-7, Hawaii Revised Statutes, or any other law.

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

19 (c) For the purposes of this section:

20 "Astronomical observatory" means any person or entity that  
21 leases any portion of Mauna Kea lands for the purpose of



1 operating a telescope observatory or for other astronomical  
2 research purposes.

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

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



**Report Title:**

Mauna Kea Lands; UH; MKSOA; 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 if the timelines specified in Act 255, SLH 2022, are not met. Establishes a deadline of 7/1/2030 for the transfer of appropriations, records, equipment, and other property to the Mauna Kea Stewardship and Oversight Authority. Authorizes the Authority to extend existing leases and subleases for up to an additional 10-year term. Effective 7/1/2050. (SD2)

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

