

Honolulu, Hawaii

**MAR 30 2026**

RE: H.B. No. 2592  
H.D. 2  
S.D. 1

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

Sir:

Your Committees on Water, Land, Culture and the Arts and Education, to which was referred H.B. No. 2592, H.D. 2, 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) Transfer as a matter of law certain real property interests in the Mauna Kea lands to MKSOA;
- (3) Require the University of Hawaii to transfer the various Mauna Kea astronomical observatory conservation district use permits to the astronomical observatories;
- (4) 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; and



(5) Clarify that MKSOA has state sovereign immunity.

Your Committees received testimony in support of this measure from the Mauna Kea Stewardship and Oversight Authority, Maunakea Observatories, and four individuals.

Your Committees received testimony in opposition to this measure from Na Wai Ho'ola Nui Laau Lapaau, Chamber of Sustainable Commerce, POLYROOTS, and twenty-six individuals.

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

Your Committees find that the convergence of Mauna Kea's cultural, spiritual, environmental, and scientific significance produces tension over its stewardship. Through Act 255, Session Laws of Hawaii 2022, MKSOA was established in an attempt to assuage concerns over the governance of the mauna by requiring MKSOA to balance mindfulness of Native Hawaiian traditions and environmental conservation with the responsible advancement of astronomical research. Your Committees believe that further refinement of MKSOA's jurisdiction and responsibilities is needed to safeguard the balanced management of Mauna Kea. This measure will increase the transparency, accountability, and respect in the management of one of the State's most significant and treasured lands.

Your Committees acknowledge the recommendation provided in testimony by the Department of Land and Natural Resources that MKSOA should be expressly authorized to acquire and hold title to real property to resolve confusion over its statutory authority to hold lands in fee simple. Your Committees additionally note that, while amending this measure to require MKSOA to extend existing leases by ten years would stray from legislative intent, language from H.B. 2593, H.D. 1 (Regular Session 2026), that instead allows MKSOA to extend the leases would encourage further discussion on this issue. Also, your Committees believe that the date on which the rights, powers, functions, and duties of the University of Hawaii pertaining to the oversight of Mauna Kea will be transferred to MKSOA is too soon for executive agencies to smoothly and effectively implement the transfer, and that uncertainty over the accountability and progress of the transfer



process would be suitably handled by adding a firm deadline upon which the transferal is reverted. Amendments to this measure are therefore necessary to address these issues.

Accordingly, your Committees have amended this measure by:

- (1) Expanding the purpose of part II of the measure to include explicitly authorizing MKSOA to own and hold real property;
- (2) Inserting language authorizing MKSOA, as it pertains to the Mauna Kea Land Area, to own or hold title to real property, except as otherwise limited by chapter 195H, Hawaii Revised Statutes;
- (3) Expanding the purpose of part III of the measure to include:
  - (A) Extending the date on which all rights, powers, functions, and duties of the University of Hawaii relating to the powers and responsibilities granted to MKSOA under part I of Act 255, Session Laws of Hawaii 2022, will be transferred to MKSOA, from July 1, 2028, to December 1, 2029, to ensure all applicable stakeholders have sufficient time to implement a successful transition; and
  - (B) Adding a reversion date of December 1, 2032, upon which certain sections of Act 255, Session Laws of Hawaii 2022, shall be repealed, certain sections in the Hawaii Revised Statutes shall be reenacted, and management authority over Mauna Kea lands shall revert to the University of Hawaii, if the transition timelines are not met pursuant to Act 255, Session Laws of Hawaii 2022;
- (4) Inserting language clarifying that MKSOA shall have a transition period of seventy-seven months beginning July 1, 2023, and ending December 1, 2029, and making conforming amendments to the measure and related sections of Act 255, Session Laws of Hawaii 2022;



- (5) Inserting language specifying that, if the timelines specified in Act 255, Session Laws of Hawaii 2022, including the timeline for the transfer of authority, responsibility, and duties, have not been met, then on December 1, 2032, certain sections of the Act shall be repealed, certain sections of the Hawaii Revised Statutes shall be reenacted, and management authority over Mauna Kea lands shall revert to the University of Hawaii;
- (6) Inserting language authorizing MKSOA to extend existing leases and subleases before the transfer of powers and duties pertaining to Mauna Kea lands to MKSOA for up to an additional ten-year term, and making conforming amendments; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that the transfer of Conservation District Use Permits (CDUPs) from the University of Hawaii to individual astronomical observatories may not be necessary because CDUPs generally function as land use authorizations that run with the land. Accordingly, your Committees respectfully request that subsequent Committees to which this measure is referred consider this issue in consultation with the Department of the Attorney General and other relevant stakeholders.

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



Respectfully submitted on  
behalf of the members of the  
Committees on Water, Land,  
Culture and the Arts and  
Education,



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DONNA MERCADO KIM, Chair



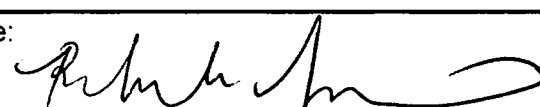
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CHRIS LEE, Chair



The Senate  
 Thirty-Third Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water, Land, Culture and the Arts**  
**WLA**

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|--|---------------------|------------|-----|---------|
| Bill / Resolution No.:*  | Committee Referral: | Date:      |     |         |
| HB 2592 HD2  | WLA/EDU, JDC/WAM    | 03-25-2026 |     |         |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____  |                     |            |     |         |
| The Recommendation is:<br><input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 |                     |            |     |         |
| Members  | Aye                 | Aye (WR)   | Nay | Excused |
| LEE, Chris (C)   | ✓                   |            |     |         |
| INOUYE, Lorraine R. (VC)   |                     |            |     | ✓       |
| CHANG, Stanley   |                     |            |     | ✓       |
| LAMOSAO, Rachele   | ✓                   |            |     |         |
| DECORTE, Samantha  |                     |            | ✓   |         |
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| <b>TOTAL</b>   | 2                   | 0          | 1   | 2       |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |                     |            |     |         |
| Chair's or Designee's Signature:   |                     |            |     |         |
| <b>Distribution:</b> Original    Yellow    Pink<br>File with Committee Report    Committee    Drafting Agency  |                     |            |     |         |

\*Only one measure per Record of Votes

The Senate  
Thirty-Third Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Education**  
**EDU**

|  |                      |          |     |         |
|--|----------------------|----------|-----|---------|
| Bill / Resolution No.:*  | Committee Referral:  | Date:    |     |         |
| HB 2592 HD 2   | WLA / EDU, JDC / WAM | 03/25/26 |     |         |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____  |                      |          |     |         |
| The Recommendation is:<br><input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 |                      |          |     |         |
| Members  | Aye                  | Aye (WR) | Nay | Excused |
| KIM, Donna Mercado (C)   | ✓                    |          |     |         |
| KIDANI, Michelle N. (VC)   |                      |          |     | ✓       |
| FUKUNAGA, Carol  |                      |          |     | ✓       |
| HASHIMOTO, Troy N.   | ✓                    |          |     |         |
| DECORTE, Samantha  |                      |          | ✓   |         |
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| <b>TOTAL</b>   | 13                   | 0        | 1   | 2       |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |                      |          |     |         |
| Chair's or Designee's Signature:   |                      |          |     |         |
| <b>Distribution:</b> Original     Yellow     Pink<br>File with Committee Report     Committee     Drafting Agency  |                      |          |     |         |

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