
A BILL FOR AN ACT

RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY.

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

1 SECTION 1. Section 227D-2, Hawaii Revised Statutes, is
2 amended by amending subsections (a) and (b) to read as follows:
3 "(a) There is established the natural energy laboratory of
4 Hawaii authority, which shall be a body corporate and politic
5 and an instrumentality and agency of the State. The authority
6 shall be placed within the department of business, economic
7 development, and tourism for administrative purposes, pursuant
8 to section 26-35. The purpose of the natural energy laboratory
9 of Hawaii authority shall be to facilitate research[7];
10 development[7]; and environmentally responsible and culturally
11 appropriate commercialization of natural energy resources and
12 ocean-related research, technology, and industry in Hawaii and
13 to engage in environmentally responsible and culturally
14 appropriate retail, commercial, or tourism activities that will
15 financially support that research, development, and
16 commercialization at a research and technology park in Hawaii.
17 Its duties shall include:



- 1 (1) Establishing, managing, and operating facilities, in
2 compliance with all state and federal laws, rules,
3 regulations, and licensing and permitting
4 requirements, that provide sites for:
5 (A) Research and development;
6 (B) Commercial projects and businesses utilizing
7 natural resources, such as ocean water or
8 geothermal energy;
9 (C) Compatible businesses engaged in scientific and
10 technological investigations, or retail,
11 commercial, and tourism activities; and
12 (D) Businesses or educational facilities that support
13 the primary projects and activities;
14 (2) Providing support, utilities, and other services to
15 facility tenants and government agencies;
16 (3) Maintaining the physical structure of the facilities;
17 (4) Promoting and marketing these facilities;
18 (5) Promoting and marketing the reasonable utilization of
19 available natural resources[+] in a culturally
20 appropriate and environmentally responsible manner;



- 1 (6) Supporting ocean research and technology development
2 projects that support national and state interests,
3 use facilities and infrastructure in Hawaii, and
4 foster potential commercial development; ~~and~~
- 5 (7) Engaging in retail, commercial, and tourism activities
6 that are not related to facilitating research,
7 development, and commercialization of natural energy
8 resources in Hawaii; provided that all income derived
9 from these activities shall be deposited in the
10 natural energy laboratory of Hawaii authority special
11 fund[-]; and
- 12 (8) Engaging in community outreach and education in west
13 Hawaii island as they relate to activities within the
14 park to promote workforce development in science,
15 technology, engineering, math, and aquaculture
16 industries, including through programs for local
17 educators, students, educational institutions within
18 Hawaii, and state- and county-sponsored community
19 groups.
- 20 (b) The governing body of the authority shall consist of a
21 board of directors having twelve voting members. Three members



1 from the general public shall be appointed by the governor for
2 staggered terms pursuant to section 26-34[~~,—except~~]; provided
3 that one of these members shall be a resident of the county of
4 Hawaii. The members shall be selected on the basis of their
5 knowledge, interest, and proven expertise in, but not limited
6 to, one or more of the following fields: finance, commerce and
7 trade, corporate management, marketing, economics, engineering,
8 energy management, real estate development, property management,
9 aquaculture, [~~and~~] ocean science[-], Native Hawaiian cultural
10 practices and traditions, conservation, and animal welfare. The
11 chairperson and secretary of the research advisory committee
12 shall serve on the board. The director of business, economic
13 development, and tourism, the chairperson of the board of land
14 and natural resources, the president of the University of
15 Hawaii; the mayor of the county of Hawaii, and an appointed
16 member from the board of the Hawaii technology development
17 corporation, or their designated representatives, shall serve as
18 ex officio, voting members of the board. The tenants of the
19 authority shall elect two members to the board from among the
20 tenants of the authority, of which one member shall serve a two-
21 year term, and one member shall serve a four-year term. In



1 electing the tenant members, each tenant shall be entitled to
2 cast one vote for each member position. The tenant members
3 shall be recused from voting on setting lease rents, water
4 rates, or utility rates, but may participate in discussions.
5 The director of business, economic development, and tourism
6 shall serve as the chairperson until such time as a chairperson
7 is elected by the board from the membership. The board shall
8 elect other officers as it deems necessary."

9 SECTION 2. Section 227D-4, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "[+]§227D-4[+] **Research advisory committee.** The authority
12 shall appoint a research advisory committee for the purpose of
13 obtaining expert and specialized counsel and advice on matters
14 relating to scientific research. The research advisory
15 committee shall include a member of the University of Hawaii
16 institutional animal care and use committee and may include [~~as~~
17 ~~members of the committee~~] officers and employees of any
18 government department or agency or members of the scientific
19 community; provided that at least two members of the board shall
20 be appointed to the research advisory committee. Members of the
21 research advisory committee shall elect the chairperson and



1 secretary of the committee, who shall serve as members of the
2 board. The authority may assign its own staff to aid and assist
3 the research advisory committee and may reimburse any member of
4 the committee for necessary expenses incurred in the performance
5 of the member's work for the authority."

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

8 SECTION 4. This Act shall take effect on June 30, 3000;
9 provided that the existing members of the natural energy
10 laboratory of Hawaii authority shall continue to serve until the
11 expiration of their respective terms.



Report Title:

NELHA; Duties; Board of Directors

Description:

Amends the statutory duties of the natural energy laboratory of Hawaii authority. Requires the authority to conduct certain activities in a culturally sensitive and environmentally appropriate manner and to engage in community outreach and education. Amends the authorized composition of the authority's board. Effective 6/30/3000. (HD2)

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