

JAN 27 2021

A BILL FOR AN ACT

RELATING TO THE STATE ENERGY OFFICE.

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

1 SECTION 1. Section 196-63, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§196-63 Hawaii green infrastructure authority.** There is
4 established the Hawaii green infrastructure authority as an
5 instrumentality of the State comprising five members. The
6 director, the director of finance, and the chief energy officer
7 of the Hawaii state energy office shall be members of the
8 authority. The governor shall appoint the other two members,
9 pursuant to section 26-34. The director shall be the
10 chairperson of the authority. The authority shall be placed
11 within the [~~department~~] Hawaii state energy office for
12 administrative purposes[~~, pursuant to section 26-35~~]; provided
13 that until the authority is duly constituted, the [~~department~~]
14 Hawaii state energy office may exercise all powers reserved to
15 the authority and shall perform all responsibilities of the
16 authority."



1 SECTION 2. Section 196-71, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[~~§~~196-71~~§~~] **Hawaii state energy office; established.**

4 (a) There is established the Hawaii state energy office, which
5 shall be a public body politic and an instrumentality and agency
6 of the State. The office shall be placed within the department
7 of business, economic development, and tourism for
8 administrative purposes, pursuant to section 26-35. The purpose
9 of the Hawaii state energy office shall be to [~~promote~~]
10 stimulate economic development by promoting energy efficiency,
11 renewable energy, and clean transportation [~~to help achieve a~~
12 ~~resilient clean energy economy~~].

13 (b) The Hawaii state energy office shall:

14 (1) Create and execute a state strategic energy plan with
15 milestones and key performance indicator metrics based
16 on this section;

17 (2) Coordinate the State's energy programs with those of
18 the federal government, other territory and state
19 governments, the political subdivisions of the State,
20 departments of the State, and governments of nations



1 having interest in common energy resources and
2 economic development in accordance with energy goals;

3 (3) Develop and maintain a comprehensive and systematic
4 quantitative and qualitative capacity to analyze the
5 status of the energy industry, resources, systems, and
6 markets, both in- and out-of-state, particularly in
7 relation to the State's economy, and to recommend,
8 develop proposals for, and assess the effectiveness of
9 policy and regulatory decisions and energy emergency
10 planning;

11 (4) Provide analysis [and], planning [~~to actively develop~~
12 and inform policies], and implementation of, and
13 recommendations for, policies, strategies, and plans
14 to achieve economic development, energy efficiency,
15 renewable energy, energy resiliency, and clean
16 transportation goals with the legislature, public
17 utilities commission, state agencies, and other
18 relevant stakeholders;

19 (5) Coordinate with public and private sector stakeholders
20 to identify issues in the energy industry and



1 opportunities to cost-effectively and expeditiously
2 achieve the State's energy goals;

3 (6) Create and review proposed state actions that may have
4 a significant effect on the State's energy and
5 economic development goals;

6 (7) Evaluate, recommend, and participate in the
7 development of incentives and programs that encourage
8 the development of energy efficiency, renewable
9 energy, energy resiliency, and clean transportation
10 resources;

11 (8) Create and facilitate energy-based jobs and ancillary
12 industry-based jobs that are primarily full-time,
13 permanent, and long-term;

14 (9) Create and facilitate energy-based jobs and ancillary
15 industry-based jobs that are temporary and short-term;

16 (10) Identify skills and knowledge-based job requirements
17 to provide to education and workforce development
18 agencies;

19 (11) Support the development, evaluation, revision, and
20 adoption of energy-related codes and standards that
21 advance the State's energy goals;



- 1 ~~[(2) Lead efforts]~~ (12) Advocate for and recommend
2 programs and provide technical assistance to
3 incorporate energy efficiency, renewable energy,
4 energy resiliency, and clean transportation to reduce
5 costs and achieve clean energy, energy assurance, and
6 energy resilience goals across all public facilities;
7 ~~[(3) Provide renewable energy, energy efficiency, energy~~
8 ~~resiliency, and clean transportation project~~
9 ~~deployment facilitation to assist private sector~~
10 ~~project completion when aligned with state energy~~
11 ~~goals; and~~
12 ~~(4)]~~ (13) Engage the private sector to [help lead efforts
13 ~~to achieve renewable energy and clean transportation~~
14 ~~goals through the Hawaii clean energy initiative.]~~
15 assist in developing strategies and initiatives to
16 achieve renewable energy and clean transportation
17 goals;
18 (14) Identify market gaps and innovation opportunities,
19 collaborate with stakeholders, and facilitate public-
20 private partnerships to develop projects, programs,
21 and tools to encourage private and public exploration,



1 research, and development of energy resources and data
2 analytics that will support the State's energy and
3 economic development goals;

4 (15) Facilitate and support a diverse combination of
5 technologies of firm renewable projects and
6 intermittent renewable projects to create a resilient
7 and reliable energy system;

8 (16) Serve as the State's energy data clearinghouse by
9 identifying, collecting, compiling, analyzing,
10 publishing, and, if possible, monetizing energy and
11 clean transportation data and analyses;

12 (17) Advocate for the State's energy and economic
13 development goals at relevant venues and with relevant
14 entities, including the legislature, public utilities
15 commission, department of commerce and consumer
16 affairs' division of consumer advocacy, and community
17 members, to ensure that state energy policies, rules,
18 and regulations:

19 (A) Align with the state strategic goals;

20 (B) Are data-driven; and



- 1 (C) Offer affordable energy to residents and
- 2 businesses;
- 3 (18) Facilitate the efficient and expedited development
- 4 processes and approvals of energy efficiency,
- 5 renewable energy, energy resiliency, and clean
- 6 transportation projects by:
- 7 (A) Facilitating coordination of relevant state and
- 8 local government agencies, departments, boards,
- 9 and commissions to assist public and private
- 10 sector development and completion of all projects
- 11 that support the State's economic development and
- 12 energy goals;
- 13 (B) Coordinating state and county department and
- 14 agency efforts to support, expedite, and remove
- 15 barriers to implementation of energy initiatives
- 16 and projects;
- 17 (C) Identify and evaluate conflicting goals, rules,
- 18 resource utilization, and onerous policies and
- 19 rules of state and county departments that
- 20 unreasonably impede project development and
- 21 implementation;



1 (D) Propose regulatory, legislative, administrative,
2 or other solutions to applicable stakeholders;
3 and

4 (E) Facilitate resolution to process and approval
5 issues;

6 (19) Identify and recommend policies to align utility goals
7 with those of ratepayers, including evaluating utility
8 models, models of completion, utility independent
9 power producer procurement and delivery processes, and
10 plans for renewable portfolio standards achievement,
11 to best support state energy goals;

12 (20) Contract for services when required for the
13 implementation of this part; and

14 (21) Adopt rules, pursuant to chapter 91, for the
15 administration of this part.

16 (c) The Hawaii state energy office shall be the State's
17 primary government entity for supporting the clean energy
18 initiative.

19 (d) No later than twenty days prior to the convening of
20 each regular session, and as otherwise requested, the Hawaii



1 state energy office shall submit a report to the legislature and
2 governor that includes:

3 (1) A description of the activities of the Hawaii state
4 energy office in response to the directives
5 established pursuant to subsection (b) [~~and section~~
6 ~~196-72(d)~~], along with progress in meeting any of the
7 Hawaii state energy office goals established in or
8 pursuant to this part;

9 (2) Performance milestones and indicators related to the
10 State's energy, economic development, and jobs
11 creation goals;

12 (3) Progress by the State in meeting its energy
13 efficiency, renewable energy, energy resilience, and
14 clean transportation goals; and

15 [~~(3)~~] (4) Proposed legislation, if any[-], to achieve
16 economic development, energy efficiency, renewable
17 energy, energy resiliency, and clean transportation
18 goals."

19 SECTION 3. Section 196-72, Hawaii Revised Statutes, is
20 amended to read as follows:



1 " [†]§196-72[†] Chief energy officer of the Hawaii state
2 **energy office; duties.** (a) The Hawaii state energy office
3 shall be led by the chief energy officer, who shall be nominated
4 and, by and with the advice and consent of the senate, appointed
5 by the governor; provided that the term of the chief energy
6 officer shall be coterminous with the term of the governor.

7 (b) The chief energy officer shall have:

8 (1) Experience, knowledge, and expertise in policy,
9 programs, or services related to economic development,
10 energy efficiency, renewable energy, clean
11 transportation, and energy resiliency related
12 activities and development; and

13 (2) Experience in a supervisory or administrative
14 capacity.

15 (c) The chief energy officer shall hire staff necessary to
16 carry out the purposes of this part. The chief energy officer
17 and employees of the Hawaii state energy office shall be exempt
18 from chapter 76 and shall not be considered civil service
19 employees but shall be entitled to any employee benefit plan
20 normally inuring to civil service employees.



1 ~~[(d) Subject to the approval of the governor, the chief~~
2 ~~energy officer shall:~~

3 ~~(1) Formulate, analyze, recommend, and implement specific~~
4 ~~policies, strategies, and plans, in coordination with~~
5 ~~public and private sector stakeholders, to cost-~~
6 ~~effectively and equitably achieve the State's energy~~
7 ~~goals;~~

8 ~~(2) Identify, track, and report key performance measures~~
9 ~~and milestones related to the State's energy and~~
10 ~~decarbonization goals;~~

11 ~~(3) Provide technical assistance to state and county~~
12 ~~agencies to assess and implement projects and programs~~
13 ~~related to energy conservation and efficiency,~~
14 ~~renewable energy, clean transportation, energy~~
15 ~~resiliency, and related measures;~~

16 ~~(4) Coordinate the State's energy programs with those of~~
17 ~~the federal government, other territory and state~~
18 ~~governments, the political subdivisions of the State,~~
19 ~~departments of the State, and governments of nations~~
20 ~~with interest in common energy resources;~~



- 1 ~~(5) Identify market gaps and innovation opportunities,~~
2 ~~collaborate with stakeholders, and facilitate public-~~
3 ~~private partnerships to develop projects, programs,~~
4 ~~and tools to encourage private and public exploration,~~
5 ~~research, and development of energy resources,~~
6 ~~distributed energy resources, and data analytics that~~
7 ~~will support the State's energy and decarbonization~~
8 ~~goals;~~
- 9 ~~(6) Create and review proposed state actions that may have~~
10 ~~a significant effect on the State's energy and~~
11 ~~decarbonization goals, report to the governor their~~
12 ~~effect on the energy program, and perform other~~
13 ~~services as may be required;~~
- 14 ~~(7) Evaluate, recommend, and participate in the~~
15 ~~development of incentives and programs that encourage~~
16 ~~the development of energy efficiency, renewable~~
17 ~~energy, energy resiliency, distributed energy~~
18 ~~resources, and clean transportation resources;~~
- 19 ~~(8) Assess and evaluate the effectiveness and continued~~
20 ~~necessity of existing energy related incentives, tax~~



- 1 ~~credits, and programs, and provide recommendations and~~
2 ~~proposed changes;~~
- 3 ~~(9) Develop and maintain a comprehensive and systematic~~
4 ~~quantitative and qualitative capacity to analyze the~~
5 ~~status of energy resources, systems, and markets, both~~
6 ~~in state and in other states and countries,~~
7 ~~particularly in relation to the State's economy, and~~
8 ~~to recommend, develop proposals for, and assess the~~
9 ~~effectiveness of policy and regulatory decisions, and~~
10 ~~energy emergency planning;~~
- 11 ~~(10) Develop and recommend programs for, and assist public~~
12 ~~agencies in the implementation of, energy assurance~~
13 ~~and energy resilience;~~
- 14 ~~(11) Support the development, evaluation, revision, and~~
15 ~~adoption of energy related codes and standards that~~
16 ~~advance the State's energy goals;~~
- 17 ~~(12) Act as the State's energy data clearinghouse by~~
18 ~~identifying, collecting, compiling, analyzing,~~
19 ~~publishing, and where possible, monetizing energy and~~
20 ~~clean transportation data and analyses;~~



- 1 ~~(13) Advocate for the State's energy and decarbonization~~
2 ~~goals at relevant venues and departments, including~~
3 ~~but not limited to the public utilities commission,~~
4 ~~legislature, and division of consumer advocacy, to~~
5 ~~ensure that state energy policies and regulations~~
6 ~~align with the state strategic goals and are data-~~
7 ~~driven;~~
- 8 ~~(14) Support economic development and innovation~~
9 ~~initiatives related to and resulting from the State's~~
10 ~~renewable energy and distributed energy resources~~
11 ~~experience, capabilities, and data analyses;~~
- 12 ~~(15) Facilitate the efficient, expedited permitting of~~
13 ~~energy efficiency, renewable energy, clean~~
14 ~~transportation, and energy resiliency projects by:~~
- 15 ~~(A) Coordinating and aligning state and county~~
16 ~~departments and agencies to support, expedite,~~
17 ~~and remove barriers to deployment of energy~~
18 ~~initiatives and projects; and~~
- 19 ~~(B) Identify and evaluate conflicting or onerous~~
20 ~~policies and rules that unreasonably impede~~
21 ~~project development and deployment and propose~~



1 ~~regulatory, legislative, administrative, or other~~
2 ~~solutions to applicable stakeholders;~~
3 ~~(16) Identify and recommend policies to align utility goals~~
4 ~~with those of ratepayers, including evaluating utility~~
5 ~~models that best support state energy goals;~~
6 ~~(17) Prepare and submit an annual report and other reports~~
7 ~~as may be requested to the governor and to the~~
8 ~~legislature on the implementation of this part;~~
9 ~~(18) Contract for services when required for the~~
10 ~~implementation of this part; and~~
11 ~~(19) Adopt rules, pursuant to chapter 91, for the~~
12 ~~administration of this part.]"~~

13 SECTION 4. All rights, powers, functions, and duties of
14 the Hawaii green infrastructure authority are transferred to the
15 Hawaii state energy office.

16 All employees who occupy civil service positions and whose
17 functions are transferred to the Hawaii state energy office by
18 this Act shall retain their civil service status, whether
19 permanent or temporary. Employees shall be transferred without
20 loss of salary, seniority (except as prescribed by applicable
21 collective bargaining agreements), retention points, prior



1 service credit, any vacation and sick leave credits previously
2 earned, and other rights, benefits, and privileges, in
3 accordance with state personnel laws and this Act; provided that
4 the employees possess the minimum qualifications and public
5 employment requirements for the class or position to which
6 transferred or appointed, as applicable; provided further that
7 subsequent changes in status may be made pursuant to applicable
8 civil service and compensation laws.

9 Any employee who, prior to this Act, is exempt from civil
10 service and is transferred as a consequence of this Act may
11 retain the employee's exempt status, but shall not be appointed
12 to a civil service position as a consequence of this Act. An
13 exempt employee who is transferred by this Act shall not suffer
14 any loss of prior service credit, vacation or sick leave credits
15 previously earned, or other employee benefits or privileges as a
16 consequence of this Act; provided that the employees possess
17 legal and public employment requirements for the position to
18 which transferred or appointed, as applicable; provided further
19 that subsequent changes in status may be made pursuant to
20 applicable employment and compensation laws. The chief energy
21 officer of the Hawaii state energy office may prescribe the



S.B. NO. 1341

1 duties and qualifications of these employees and fix their
2 salaries without regard to chapter 76, Hawaii Revised Statutes.

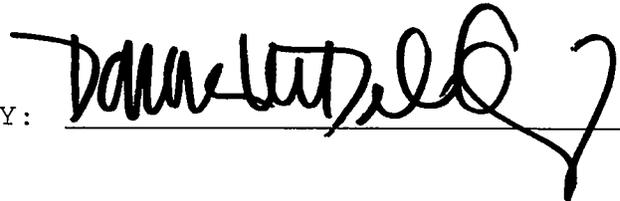
3 SECTION 5. All appropriations, records, equipment,
4 machines, files, supplies, contracts, books, papers, documents,
5 maps, and other personal property heretofore made, used,
6 acquired, or held by the department of business, economic
7 development, and tourism relating to the functions transferred
8 to the Hawaii state energy office shall be transferred with the
9 functions to which they relate.

10 SECTION 6. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 7. This Act shall take effect upon its approval.

13

INTRODUCED BY:



S.B. NO. 1341

Report Title:

DBEDT; Hawaii State Energy Office; Hawaii Green Infrastructure Authority; Transfer

Description:

Transfers the Hawaii green infrastructure authority from the department of business, economic development, and tourism to the Hawaii state energy office. Clarifies the purpose, duties, and responsibilities of the Hawaii state energy office and the chief energy officer.

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