

JAN 27 2021

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# 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. All rights, powers, functions, and duties of  
2 the university of Hawaii relating to the operational functions  
3 of the makai research pier located at the southeast corner of  
4 Oahu near Makapuu point are transferred to the natural energy  
5 laboratory of Hawaii authority.

6           All employees who occupy civil service positions and whose  
7 functions are transferred to the natural energy laboratory of  
8 Hawaii authority by this Act shall retain their civil service  
9 status, whether permanent or temporary. Employees shall be  
10 transferred without loss of salary, seniority (except as  
11 prescribed by applicable collective bargaining agreements),  
12 retention points, prior service credit, any vacation and sick  
13 leave credits previously earned, and other rights, benefits, and  
14 privileges, in accordance with state personnel laws and this  
15 Act; provided that the employees possess the minimum  
16 qualifications and public employment requirements for the class  
17 or position to which transferred or appointed, as applicable;



1 provided further that subsequent changes in status may be made  
2 pursuant to applicable civil service and compensation laws.

3 Any employee who, prior to this Act, is exempt from civil  
4 service and is transferred as a consequence of this Act may  
5 retain the employee's exempt status, but shall not be appointed  
6 to a civil service position as a consequence of this Act. An  
7 exempt employee who is transferred by this Act shall not suffer  
8 any loss of prior service credit, vacation or sick leave credits  
9 previously earned, or other employee benefits or privileges as a  
10 consequence of this Act; provided that the employees possess  
11 legal and public employment requirements for the position to  
12 which transferred or appointed, as applicable; provided further  
13 that subsequent changes in status may be made pursuant to  
14 applicable employment and compensation laws. The executive  
15 director of the natural energy laboratory of Hawaii authority  
16 may prescribe the duties and qualifications of these employees  
17 and fix their salaries without regard to chapter 76, Hawaii  
18 Revised Statutes.

19 SECTION 2. All appropriations, records, equipment,  
20 machines, files, supplies, contracts, books, papers, documents,  
21 maps, and other personal property heretofore made, used,



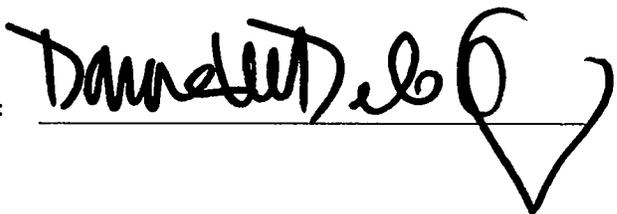
1 acquired, or held by the university of Hawaii relating to the  
2 functions transferred to the natural energy laboratory of Hawaii  
3 authority shall be transferred with the functions to which they  
4 relate.

5 SECTION 3. The director of finance is authorized to issue  
6 general obligation bonds in the sum of \$5,000,000 or so much  
7 thereof as may be necessary and the same sum or so much thereof  
8 as may be necessary is appropriated for fiscal year 2021-2022 to  
9 be expended by the natural energy laboratory of Hawaii authority  
10 to repair and upgrade the makai research pier.

11 SECTION 4. The appropriation made for the capital  
12 improvement project authorized by this Act shall not lapse at  
13 the end of the fiscal biennium for which the appropriation is  
14 made; provided that all moneys from the appropriation  
15 unencumbered as of June 30, 2024, shall lapse as of that date.

16 SECTION 5. This Act shall take effect on July 1, 2021.

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INTRODUCED BY: 



# S.B. NO. 962

**Report Title:**

Director of Finance; University of Hawaii; NELHA; Makai Research Pier; Transfer; GO Bonds

**Description:**

Transfers to the natural energy laboratory of Hawaii authority operational authority over the makai research pier located at the southeast corner of Oahu. Authorizes the director of finance to issue general obligation bonds for the natural energy laboratory of Hawaii authority to repair and upgrade the makai research pier.

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