

## ACT 33

H. B. NO. 2151-70

A Bill for an Act Relating to Energy Corridors.

*Be It Enacted by the Legislature of the State of Hawaii:*

**SECTION 1. Findings and declaration of necessity.** The legislature finds and declares that: (1) there is a critical problem in establishing convenient and economical means for transporting fuels and other sources of energy from the places of manufacture or storage to distribution areas within the State of Hawaii or the places of consumption; (2) there would be a maximization of the use of available lands if a state agency were to be authorized to acquire, hold and manage energy corridors consisting of lands or interest therein, thereby controlling the use thereof; (3) competition would be fostered and thereby a reduction in cost to consumers would be realized if the State could make available energy corridors as the location for the facilities necessary for the transportation of sources of energy; (4) the department of transportation is the agency of the State best able to manage and control the energy corridors. The legislature also finds that the acquisition of private property for the aforementioned purposes is necessary, and that such acquisition is for a public use.

**SECTION 2. Authorization.** The department of transportation shall establish, maintain, operate, manage and control energy corridors throughout the state for the purpose of maximizing the utilization of lands available for use in connection with transporting by pipeline or other means, sources of energy including but not limited to oil, its derivatives and natural gas; provided, however, that the utilization of such energy corridors shall be permissive and not mandatory.

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**SECTION 3. Acquisition of lands.** The director of transportation in the name of the State and subject to the approval of the governor may for the purposes of this Act acquire, by purchase or eminent domain, private property in fee simple, or any lesser interest therein, including leases, all property necessary for the establishment, maintenance, operation, management and control of energy corridors.

**SECTION 4. Disposition.** The director of transportation may dispose of any interests in the lands acquired for the purposes of this Act by lease or license or by the grant of easements to any person who is engaged in the business of furnishing or delivering sources of energy, in bulk.

**SECTION 5.** This Act shall take effect upon its approval.

(Approved May 28, 1970.)