

ACT 151

H.B. NO. 1367

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:

SECTION 1. The purpose of this Act is to expand the scope of activity of the natural energy laboratory of Hawaii authority by allowing it to engage in retail concession activities that are not related to facilitating research, development, and commercialization of natural energy resources in Hawaii.

SECTION 2. Section 227D-2, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) There is established the natural energy laboratory of Hawaii authority, which shall be a body corporate and politic and an instrumentality and agency of the State. The authority shall be placed within the department of business, economic development, and tourism for administrative purposes, pursuant to section 26-35. The purpose of the natural energy laboratory of Hawaii authority shall be to facilitate research, development, and commercialization of natural energy resources in Hawaii[.] and to engage in one retail concession activity and one tour-related activity

ACT 151

that will financially support that research, development, and commercialization at a research and technology park in Hawaii. Its duties shall include:

- (1) Establishing, managing, and operating facilities that provide sites for:
 - (A) Research and development;
 - (B) Commercial projects and businesses utilizing natural resources, such as ocean water or geothermal energy;
 - (C) Those businesses engaged in other compatible scientific and technological investigations; and
 - (D) Businesses or educational facilities that support the primary projects and activities;
- (2) Providing support, utilities, and other services to facility tenants and government agencies;
- (3) Maintaining the physical structure of the facilities;
- (4) Promoting and marketing these facilities; [and]
- (5) Promoting and marketing the reasonable utilization of available natural resources[.]; and
- (6) Engaging in one retail concession activity and one tour-related activity that are not related to facilitating research, development, and commercialization of natural energy resources in Hawaii; provided that all income derived from these activities shall be deposited in the natural energy laboratory of Hawaii authority special fund.

SECTION 3. Section 227D-7, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The authority shall not be subject to any requirement of law for competitive bidding, including the requirements of [chapter] chapters 103 and 103D [and section 103-42,] for project agreements, construction contracts, retail concession or tour-related contracts, or other contracts unless a project agreement with respect to a project or research and technology park shall require otherwise.”

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved June 16, 1997.)