
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 26-1, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:

3 "(d) In addition to the functions and duties provided by
4 law, the lieutenant governor shall assume administrative
5 responsibility for the office of information practices[-] and
6 the natural energy laboratory of Hawaii authority."

7 SECTION 2. Section 26-18, Hawaii Revised Statutes, is
8 amended by amending subsection (b) to read as follows:

9 "(b) The following are placed in the department of
10 business, economic development, and tourism for administrative
11 purposes as defined by section 26-35: Aloha Tower development
12 corporation, Hawaii community development authority, Hawaii
13 housing finance and development corporation, high technology
14 development corporation, land use commission, [~~natural energy~~
15 ~~laboratory of Hawaii authority,~~] and any other boards and
16 commissions as shall be provided by law.

17 The department of business, economic development, and
18 tourism shall be empowered to establish, modify, or abolish



1 statistical boundaries for cities, towns, or villages in the
2 [~~State~~] state and shall publish, as expeditiously as possible,
3 an up-to-date list of cities, towns, and villages after changes
4 to statistical boundaries have been made."

5 SECTION 3. Section 227D-2, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) There is established the natural energy laboratory of
8 Hawaii authority, which shall be a body corporate and politic
9 and an instrumentality and agency of the State. The authority
10 shall be placed within the [~~department of business, economic~~
11 ~~development, and tourism~~] office of the lieutenant governor for
12 administrative purposes, pursuant to section 26-35. The purpose
13 of the natural energy laboratory of Hawaii authority shall be to
14 facilitate research, development, and commercialization of
15 natural energy resources and ocean-related research, technology,
16 and industry in Hawaii and to engage in retail, commercial, or
17 tourism activities that will financially support that research,
18 development, and commercialization at a research and technology
19 park in Hawaii. Its duties shall include:

20 (1) Establishing, managing, and operating facilities that
21 provide sites for:

22 (A) Research and development;



- 1 (B) Commercial projects and businesses [~~utilizing~~
2 using natural resources, such as ocean water or
3 geothermal energy;
- 4 (C) Compatible businesses engaged in scientific and
5 technological investigations, or retail,
6 commercial, and tourism activities; and
- 7 (D) Businesses or educational facilities that support
8 the primary projects and activities;
- 9 (2) Providing support, utilities, and other services to
10 facility tenants and government agencies;
- 11 (3) Maintaining the physical structure of the facilities;
- 12 (4) Promoting and marketing these facilities;
- 13 (5) Promoting and marketing the reasonable [~~utilization~~
14 use of available natural resources;
- 15 (6) Supporting ocean research and technology development
16 projects that support national and state interests,
17 use facilities and infrastructure in Hawaii, and
18 foster potential commercial development; and
- 19 (7) Engaging in retail, commercial, and tourism activities
20 that are not related to facilitating research,
21 development, and commercialization of natural energy
22 resources in Hawaii; provided that all income derived



1 from these activities shall be deposited in the
2 natural energy laboratory of Hawaii authority special
3 fund."

4 SECTION 4. All rights, powers, functions, and duties of
5 the natural energy laboratory of Hawaii authority are
6 transferred to the office of the lieutenant governor.

7 All officers and employees whose functions are transferred
8 by this Act shall be transferred with their functions and shall
9 continue to perform their regular duties upon their transfer,
10 subject to the state personnel laws and this Act.

11 No officer or employee of the State having tenure shall
12 suffer any loss of salary, seniority, prior service credit,
13 vacation, sick leave, or other employee benefit or privilege as
14 a consequence of this Act, and such officer or employee may be
15 transferred or appointed to a civil service position without the
16 necessity of examination; provided that the officer or employee
17 possesses the minimum qualifications for the position to which
18 transferred or appointed; and provided that subsequent changes
19 in status may be made pursuant to applicable civil service and
20 compensation laws.

21 An officer or employee of the State who does not have
22 tenure and who may be transferred or appointed to a civil



1 service position as a consequence of this Act shall become a
2 civil service employee without the loss of salary, seniority,
3 prior service credit, vacation, sick leave, or other employee
4 benefits or privileges and without the necessity of examination;
5 provided that such officer or employee possesses the minimum
6 qualifications for the position to which transferred or
7 appointed.

8 If an office or position held by an officer or employee
9 having tenure is abolished, the officer or employee shall not
10 thereby be separated from public employment, but shall remain in
11 the employment of the State with the same pay and classification
12 and shall be transferred to some other office or position for
13 which the officer or employee is eligible under the personnel
14 laws of the State as determined by the head of the department or
15 the governor.

16 SECTION 5. All appropriations, records, equipment,
17 machines, files, supplies, contracts, books, papers, documents,
18 maps, and other personal property heretofore made, used,
19 acquired, or held by the department of department of business,
20 economic development, and tourism relating to the functions
21 transferred to the office of the lieutenant governor shall be
22 transferred with the functions to which they relate.



1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect on July 1, 2008.

4

INTRODUCED BY: _____



JAN 21 2008



Report Title:

Natural Energy Laboratory of Hawaii Authority; Transfer

Description:

Transfers the Natural Energy Laboratory of Hawaii Authority from the Department of Business, Economic Development, and Tourism to the Lieutenant Governor's Office.

