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## A BILL FOR AN ACT

RELATING TO ENERGY.

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

1           SECTION 1. Section 227D-2, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:  
3           "(b) The governing body of the authority shall consist of a  
4 board of directors having [~~thirteen~~] eleven voting members.  
5 [~~Three members~~] One member from the general public shall be  
6 appointed by the governor [~~for staggered terms~~] pursuant to  
7 section 26-34, [~~except that one of these members~~] and shall be a  
8 resident of the county of Hawaii. One member shall be appointed  
9 by the president of the senate. One member shall be appointed  
10 by the speaker of the house of representatives. These three  
11 members shall serve staggered terms of four years each; provided  
12 that the first person appointed by the governor shall serve two  
13 years, the first person appointed by the president of the senate  
14 shall serve three years, and the first person appointed by the  
15 speaker of the house of representatives shall serve four years.  
16 Thereafter, subsequent appointees shall each serve a term of  
17 four years. The members shall be selected on the basis of their  
18 knowledge, interest, and proven expertise in [~~7, but not limited~~



1 ~~to, one or more]~~ no less than one of the following fields:  
2 finance, commerce and trade, corporate management, marketing,  
3 economics, engineering, energy management, real estate  
4 development [~~, property management,~~] or management, aquaculture,  
5 and ocean science. [~~The chairperson and secretary of the~~  
6 ~~research advisory committee shall serve on the board.~~] The  
7 director of business, economic development, and tourism, the  
8 [~~chairperson of the board of land and natural resources, the~~  
9 ~~president of the University of Hawaii,~~] chancellor of the  
10 University of Hawaii at Hilo, the mayor of the county of Hawaii,  
11 an appointed member from the board of the high technology  
12 development corporation, [~~and]~~ an appointed member from the  
13 board of the Hawaii strategic development corporation, and a  
14 member of the board of the office of Hawaiian affairs, or their  
15 designated representatives, shall serve as ex officio, voting  
16 members of the board. The tenants of the authority shall elect  
17 two members to the board from among the tenants of the  
18 authority [~~, of which one member shall serve a two-year term, and~~  
19 ~~one member shall serve a four-year term. In electing the tenant~~  
20 ~~members, each tenant shall be entitled to cast one vote for each~~  
21 ~~member position]. To participate in the election of tenant  
22 members or to serve as a tenant representative on the authority,~~



1 a tenant shall be an owner or active manager of a business with  
2 its principal place of business located within Hawaii. Any  
3 tenant who ceases to be a tenant of the authority shall be  
4 immediately disqualified from participating in the election of  
5 tenant members or from serving as a tenant representative on the  
6 authority. The tenant members shall be recused from voting on  
7 setting lease rents, water rates, or utility rates, but may  
8 participate in [~~discussions. The director of business, economic~~  
9 ~~development, and tourism shall serve as the chairperson until~~  
10 ~~such time as a chairperson is elected by the board from the~~  
11 ~~membership.] decision-making on other items. The board shall  
12 elect a chairperson, vice chairperson, secretary, and other  
13 officers as it deems necessary."~~

14 SECTION 2. Section 227D-4, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "[+]§227D-4[+] **Research advisory committee.** The authority  
17 shall appoint a research advisory committee for the purpose of  
18 obtaining expert and specialized counsel and advice on matters  
19 relating to scientific research [~~and may include as members of~~  
20 ~~the committee officers and employees of any government~~  
21 ~~department or agency or members of the scientific community;~~  
22 ~~provided that at least two members of the board shall be~~



1 ~~appointed to the committee.]~~ projects proposed to be located at  
2 the authority's ocean science and technology park; provided that  
3 four members shall be appointed from the board of directors of  
4 the authority and shall include the board members representing  
5 the University of Hawaii at Hilo, high technology development  
6 corporation, and Hawaii strategic development corporation.  
7 Three other members shall be selected by the committee and shall  
8 reside in the county of Hawaii. Members of the advisory  
9 committee shall elect the chairperson and secretary of the  
10 committee [~~who shall serve as members of the board~~]. The  
11 authority may assign its own staff to aid and assist the  
12 committee and may reimburse any member of the committee for  
13 necessary expenses incurred in the performance of the member's  
14 work for the authority."

15 SECTION 3. Upon the effective date of this Act and  
16 notwithstanding section 26-34(a), Hawaii Revised Statutes, and  
17 any other law to the contrary, the terms of all the members of  
18 the natural energy laboratory of Hawaii Authority's board of  
19 directors shall expire; provided that the ex officio board  
20 members, with the exception of the president of the University  
21 of Hawaii and the chairperson of land and natural resources, and  
22 the tenant board members may continue to serve in a holdover



1 capacity pursuant to section 26-34(b), Hawaii Revised Statutes,  
2 until such time as the board member's successor is nominated and  
3 appointed, or elected as the case may be.

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

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

7

INTRODUCED BY:



JAN 21 2011



**Report Title:**

Natural Energy Laboratory of Hawaii Authority; Board  
Appointments and Terms

**Description:**

Changes the representation qualifications for the natural energy laboratory of Hawaii authority board of directors. Clarifies the role of the research advisory committee and who may serve on the committee.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

