
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. Without regard to chapter 171, Hawaii Revised
2 Statutes, the legislature hereby conveys to the natural energy
3 laboratory of Hawaii authority the title to:
- 4 (1) All fast and submerged lands situate at Hamanamana,
5 Kalaoa 1st-4th and Ooma 1st and 2nd, North Kona, Island
6 of Hawaii, Hawaii, identified in general lease no. S-
7 5619 between the State of Hawaii and natural energy
8 laboratory of Hawaii authority, entered into on July
9 13, 2001, as "Natural Energy Laboratory of Hawaii
10 Site, Parts 1, 2, and 3", more particularly described
11 in exhibit A to that lease and shown on the map marked
12 exhibit B to that lease; and
- 13 (2) All fast and submerged lands situate at Kapoho, Puna,
14 Island of Hawaii, Hawaii, identified in C.S.F. No.
15 18,422 (September 15, 1978) and on tax map key 1-4-
16 01:1, and otherwise known as Hawaii geothermal
17 research station.



1 In order to effectuate the foregoing conveyance, the
2 natural energy laboratory of Hawaii authority shall ensure due
3 and adequate satisfaction of provisions for any covenant between
4 the State or any county or department or board thereof and the
5 holders of bonds issued by the State or the county, department,
6 or board, if any.

7 SECTION 2. Section 227D-1.5, Hawaii Revised Statutes, is
8 amended by amending subsection (a) to read as follows:

9 "(a) The authority shall be exempt from the definition of
10 "public utility" under section 269-1 and shall be exempt from
11 regulation by the public utilities commission for the sale or
12 provision of electricity generated by the authority using
13 renewable energy as its source in facilities located at the
14 authority's research and technology park; provided that all
15 sales or provisions of electricity are made directly to a user
16 located adjacent to the authority's research and technology park
17 on lands leased by the user from the State[+] or the authority;
18 and provided further that connection to the electrical grid
19 shall not be required to provide any electricity to any user."

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



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

14 (1) Establishing, managing, and operating facilities owned
15 or leased by the authority that provide sites for:

16 (A) Research and development;

17 (B) Commercial projects and businesses utilizing
18 natural resources, such as ocean water or
19 geothermal energy;

20 (C) Compatible businesses engaged in scientific and
21 technological investigations, or retail,
22 commercial, and tourism activities; and



- 1 (D) Businesses or educational facilities that support
2 the primary projects and activities;
- 3 (2) Providing support, utilities, and other services to
4 facility tenants and government agencies;
- 5 (3) Maintaining the physical structure of the facilities;
- 6 (4) Promoting and marketing these facilities;
- 7 (5) Promoting and marketing the reasonable utilization of
8 available natural resources;
- 9 (6) Supporting ocean research and technology development
10 projects that support national and state interests,
11 use facilities and infrastructure in Hawaii, and
12 foster potential commercial development; and
- 13 (7) Engaging in retail, commercial, and tourism activities
14 that are not related to facilitating research,
15 development, and commercialization of natural energy
16 resources in Hawaii; provided that all income derived
17 from these activities shall be deposited in the
18 natural energy laboratory of Hawaii authority special
19 fund."

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



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

2

INTRODUCED BY:

Cindy Evans

JAN 24 2011



Report Title:

NELHA; Land Conveyance

Description:

Conveys ownership to NELHA of lands currently leased by the State to NELHA.

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

