

JAN 25 2023

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 227D-2, Hawaii Revised Statutes, is
2 amended by amending subsections (a) and (b) to read as follows:
3 "(a) There is established the natural energy laboratory of
4 Hawaii authority, which shall be a body corporate and politic
5 and an instrumentality and agency of the State. The authority
6 shall be placed within the department of business, economic
7 development, and tourism for administrative purposes, pursuant
8 to section 26-35. The purpose of the natural energy laboratory
9 of Hawaii authority shall be to facilitate research[~~7~~];
10 development[~~7~~]; and environmentally responsible and culturally
11 sensitive and appropriate commercialization of natural energy
12 resources and ocean-related research, technology, and industry
13 in Hawaii and to engage in environmentally responsible and
14 culturally sensitive and appropriate retail, commercial, or
15 tourism activities that will financially support that research,
16 development, and commercialization at a research and technology
17 park in Hawaii. Its duties shall include:



- 1 (1) Establishing, managing, and operating facilities, in
2 compliance with all county, state, and federal laws,
3 rules, regulations, and licensing and permitting
4 requirements, that provide sites for:
5 (A) Research and development;
6 (B) Commercial projects and businesses utilizing
7 natural resources, such as ocean water or
8 geothermal energy;
9 (C) Compatible businesses engaged in scientific and
10 technological investigations, or retail,
11 commercial, and tourism activities; and
12 (D) Businesses or educational facilities that support
13 the primary projects and activities;
14 (2) Providing support, utilities, and other services to
15 facility tenants and government agencies;
16 (3) Maintaining the physical structure of the facilities;
17 (4) Promoting and marketing these facilities;
18 (5) Promoting and marketing the reasonable utilization of
19 available natural resources[+] in a culturally
20 appropriate and environmentally sensitive manner that



1 is consistent with the State's commitment to malama
2 Hawaii;

3 (6) Supporting ocean research and technology development
4 projects that support national and state interests,
5 use facilities and infrastructure in Hawaii, and
6 foster potential commercial development; ~~and~~

7 (7) Engaging in retail, commercial, and tourism activities
8 that are not related to facilitating research,
9 development, and commercialization of natural energy
10 resources in Hawaii; provided that all income derived
11 from these activities shall be deposited in the
12 natural energy laboratory of Hawaii authority special
13 fund[-];

14 (8) Give back to the community by engaging and supporting
15 community outreach and education as it relates to
16 activities within the park to promote and cultivate a
17 more diverse Hawaii-grown workforce in science,
18 technology, engineering, and math industries through
19 free programs for local educators, students,
20 educational institutions within Hawaii, and state and
21 county-sponsored community groups; and



1 (9) Provide a space and opportunities for culturally
2 appropriate gatherings, education, and community
3 engagement to preserve the history of Keahole Point
4 and the ahupuaa of Ooma and Kalaoa.

5 (b) The governing body of the authority shall consist of a
6 board of directors having [~~twelve~~] thirteen voting members.

7 Three members from the general public shall be appointed by the
8 governor for staggered terms pursuant to section 26-34, except
9 that one of these members shall be a resident of the county of
10 Hawaii[-] and at least one member shall be a cultural

11 practitioner representing the ahupuaa of Ooma or Kalaoa. The
12 members shall be selected on the basis of their knowledge,

13 interest, and proven expertise in, but not limited to, one or
14 more of the following fields: finance, commerce and trade,

15 corporate management, marketing, economics, engineering, energy
16 management, real estate development, property management,

17 aquaculture, [~~and~~] ocean science[-], native Hawaiian cultural
18 practices and traditions, conservation, and animal welfare. The

19 chairperson and secretary of the research advisory committee

20 shall serve on the board. The director of business, economic

21 development, and tourism, the chairperson of the board of land



1 and natural resources, the president of the University of
2 Hawaii, the mayor of the county of Hawaii, a member of the
3 university of Hawaii's institutional animal care and use
4 committee, and an appointed member from the board of the Hawaii
5 technology development corporation, or their designated
6 representatives, shall serve as ex officio, voting members of
7 the board. The tenants of the authority shall elect two members
8 to the board from among the tenants of the authority, of which
9 one member shall serve a two-year term, and one member shall
10 serve a four-year term. In electing the tenant members, each
11 tenant shall be entitled to cast one vote for each member
12 position. The tenant members shall be recused from voting on
13 setting lease rents, water rates, or utility rates, but may
14 participate in discussions. The director of business, economic
15 development, and tourism shall serve as the chairperson until
16 such time as a chairperson is elected by the board from the
17 membership. The board shall elect other officers as it deems
18 necessary."

19 SECTION 2. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect upon its approval;
2 provided that the existing members of the natural energy
3 laboratory of Hawaii authority shall continue to serve until the
4 expiration of their respective terms.

5

INTRODUCED BY:

A handwritten signature in black ink, appearing to be "D. Ku", written over a horizontal line. The signature is stylized and cursive.

S.B. NO. 1489

Report Title:

NELHA; Duties; Board of Directors; Membership

Description:

Amends the statutory duties of the Natural Energy Laboratory of Hawaii Authority. Requires the Authority to conduct certain activities in a culturally sensitive and environmentally appropriate manner and to engage in community outreach and education. Amends the membership of the Natural Energy Laboratory of Hawaii Authority board of directors by requiring 1 board member to represent the University of Hawaii Institutional Animal Care and Use Committee and 1 member to be a cultural practitioner from the ahupuaa of Ooma or Kalaoa.

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

