

STAND. COM. REP. NO.

1087

Honolulu, Hawaii

MAR 03 , 2023

RE: H.B. No. 913
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 913, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Amend the statutory duties of the Natural Energy Laboratory of Hawaii Authority (Authority); and
- (2) Require the Authority to conduct certain activities in a culturally sensitive and environmentally appropriate manner and to engage in community outreach and education.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from Ocean Era, Inc. Your Committee received comments on this measure from the University of Hawai'i System and Natural Energy Laboratory of Hawaii Authority.

Your Committee finds that the Authority was established to facilitate research, development, and commercialization of natural energy resources and ocean-related research, technology, and

2023-2177 HB913 HD2 HSCR HMSO



industry in Hawaii and that the Authority administers the Hawaii Ocean Science and Technology Park in Kailua-Kona. Your Committee further finds that language added by this measure requiring the Authority to conduct certain activities in a culturally sensitive and environmentally appropriate manner is consistent with the Authority's long-standing mission statement and, according to the Authority, its annual reports dating back thirty years demonstrate its successful adherence to this philosophy.

Your Committee also finds that, except for projects relating to aquaculture of fish and the Ke Kai Ola hospital for juvenile monk seals, the Authority's research programs focus on invertebrate species. Because there are no provisions pertaining to invertebrates in the 1966 Animal Welfare Act and other sources cited by the Authority, and because of the cost of research protocols for species where an analysis might be supported by existing guidelines, your Committee finds that it would be better to require a member of the University of Hawaii Institutional Animal Care and Use Committee sit on the Authority's Research Advisory Committee, rather than require that all research proposals involving live animals be reviewed by an Institutional Animal Care and Use Committee member.

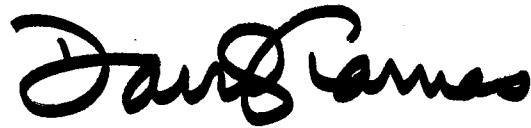
Accordingly, your Committee has amended this measure by:

- (1) Deleting the requirement that the Natural Energy Laboratory of Hawaii Authority comply with county laws, rules, regulations, and licensing and permitting requirements as part of its facility oversight duties;
- (2) Deleting the requirement that all research proposals involving live animals be reviewed by the University of Hawaii Institutional Animal Care and Use Committee prior to lease approval;
- (3) Amending the composition of the Natural Energy Laboratory of Hawaii Authority's Research Advisory Committee to require that a member of the University of Hawaii Institutional Animal Care and Use Committee be included; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 913, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 913, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



