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A BILL FOR AN ACT

RELATING TO GEOTHERMAL ENERGY.

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

1 SECTION 1. Section 196D-3, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 "Geothermal energy transmission corridor" means any
5 overland pathway designated and adopted by the board of land and
6 natural resources as a corridor for the construction and
7 establishment of electrical transmission lines, pipelines, or any
8 other form of infrastructure necessary for the transmission of
9 any form of energy generated through geothermal sources,
10 including but not limited to thermal energy, electrical energy,
11 or water power. Geothermal energy transmission corridors may
12 also be utilized for the transmission of telecommunications
13 applications."

14 SECTION 2. Chapter 196D, Hawaii Revised Statutes, is
15 amended by adding a new part to be appropriately designated and
16 to read as follows:

17 "PART . OVERLAND GEOTHERMAL ENERGY
18 TRANSMISSION CORRIDORS

19 §196D- Powers and duties. The department of land and

1 natural resources is designated as the lead agency in the
2 establishment of the geothermal energy transmission corridors
3 and, in addition to its existing functions, is authorized, under
4 this part, to exercise all the powers and duties established or
5 otherwise transferred to the department under sections 196D-4,
6 196D-5, 196D-7, and 196D-10.

7 §196D- Designation of corridors; acquisition or lease of
8 lands. (a) The department shall designate, establish, and adopt
9 by rules under chapter 91, the overland corridors through the
10 respective counties which are necessary for the establishment of
11 geothermal energy transmission corridors. The department shall
12 consult with the department of business and economic development
13 and the appropriate county authorities for purposes of planning,
14 designating, and establishing these corridors.

15 (b) The department, subject to the approval of the
16 governor, for the purposes of this part may acquire, by purchase
17 or eminent domain, private property in fee simple, or any lesser
18 interest therein, including leases, licenses, or grants of
19 easement, any lands necessary for the establishment, maintenance,
20 operation, management, and control of geothermal energy
21 transmission corridors.

22 §196D- Operation and management of corridors and
23 infrastructure; transfer of responsibilities. (a) The

1 department shall assume or otherwise transfer to any agency,
2 interagency group, or person the responsibility of operating,
3 maintaining, managing, and controlling geothermal energy
4 transmission corridors and related infrastructure established
5 throughout the State.

6 (b) The department may dispose of any interests or rights
7 in lands acquired for the purposes of this chapter by purchase,
8 lease, license, or by grant of easements to any agency,
9 interagency group, or person who is engaged in the business of
10 furnishing or delivering sources of geothermal energy."

11 SECTION 3. Chapter 196D, Hawaii Revised Statutes, is
12 amended by designating sections 196D-1 to 196D-10 as part I.

13 SECTION 4. Section 277-1, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[~~§~~277-1] Findings and declaration of necessity. The
16 legislature finds and declares that:

17 (1) There is a critical problem in establishing convenient
18 and economical means for transporting fuels and other
19 sources of petroleum-based energy from the places of
20 manufacture or storage to distribution areas within the
21 State of Hawaii or the places of consumption;

22 (2) There would be a maximization of the use of available
23 lands if a state agency were to be authorized to

1 acquire, hold and manage energy corridors consisting of
2 lands or interest therein, thereby controlling the use
3 thereof;

4 (3) Competition would be fostered and thereby a reduction
5 in cost to consumers would be realized if the State
6 could make available energy corridors as the location
7 for the facilities necessary for the transportation of
8 sources of petroleum-based energy; and

9 (4) [The department of transportation is the agency of the
10 State best able to manage and control the energy
11 corridors. The legislature also finds that the] The
12 acquisition of private property for the aforementioned
13 purposes is necessary, and that such acquisition is for
14 a public use."

15 SECTION 5. Section 277-2, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "[[§277-2]] Authorization. The department of
18 transportation shall establish, maintain, operate, manage and
19 control energy corridors throughout the State, except as provided
20 in part II of chapter 196D, for the purpose of maximizing the
21 utilization of lands available for use in connection with
22 transporting by pipeline or other means, sources of energy
23 including but not limited to oil, its derivatives and natural

1 gas; provided that the utilization of such energy corridors shall
2 be permissive and not mandatory."

3 SECTION 6. Section 277-3, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "~~[[§277-3]]~~ Acquisition of lands. The director of
6 transportation in the name of the State and subject to the
7 approval of the governor may for the purposes of this chapter
8 acquire, by purchase or eminent domain, private property in fee
9 simple, or any lesser interest therein, including leases, all
10 property necessary for the establishment, maintenance, operation,
11 management and control of energy corridors[.], except as provided
12 in part II of chapter 196D."

13 SECTION 7. Statutory material to be repealed is bracketed.
14 New statutory material is underscored.

15 SECTION 8. This Act shall take effect upon its approval.

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INTRODUCED BY: