Honolulu, Hawaii

Apr:1 29 , 2008

RE:

H.B. No. 3120

H.D. 2 S.D. 1

C.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Honorable Colleen Hanabusa President of the Senate Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 3120, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE FACILITIES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to provide greater flexibility to the Board of Agriculture in contracting for the use or rental of animal quarantine facilities or property by repealing the provision requiring that the facilities or property be leased or rented at fair market value.

Upon further consideration, your Committee on Conference has amended this measure by:

(1) In lieu of repealing the provision requiring that the facilities or property be leased or rented at fair market value, specifying that the facilities or property be

HB3120 CD1 HCCR HMS 2008-4135

leased or rented at a reasonable lease rent determined by the Board of Agriculture;

- (2) Requiring the facilities or property to be used for animal welfare, including emergency shelters for animals, or agriculture-related purposes; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

It is the intent of your Committee on Conference that in determining a reasonable lease rent, the Board of Agriculture shall take into consideration such factors as the length of the lease to be awarded, the cost of improvements to be expended by the lessee, whether the lessee is a profit or not-for-profit organization, the benefit to the public, and the financial viability of the lessee.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 3120, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 3120, H.D. 2, S.D. 1, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

JILL TOKUDA, Chair

SHAN S. TSUTSUI, Co-Chair

KYLE T. YAMASHITA, Co-Chair

FAYE HAMOLANO, Co-Chair

Hawaii State Legislature

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 3120, HD 2, SD 1					Date/Time: 4/25/08 10:20 PM				
The recommendation of the House and Senate managers is to pass with amendments (CD).									
The Committee is reconsidering its previous decision.									
The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure				The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.					
Senate Managers	A	WR	N	Е	House Managers	A	WR	N	Е
TOKUDA, Jill N., Chr.	V		8		TSUЛ, Clift, Co-Chr.	V	e.		
TSUTSUI, Shan S., Co-Chr.	V	*		45	YAMASHITA, Kyle T., Co-Chr.	V			
HEE, Clayton	V		8		HANOHANO, Faye P., Co-Chr.	V	-		
SLOM, Sam			2	V	CHING, Corinne W.L.	V			
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$A \rightarrow Aye$ $WR = Aye$ with Reservations $N = Nay$ $E = Excused$									
Senate Recommendation is:					House Recommendation is:				
Adopted Not Adopted					Adopted Not Adopted				
Senate Lead Chair's or Designee's Signature:				House Lead Chair's or Designee's Signature:					
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