

Honolulu, Hawaii

April 25, 2008

RE: S.B. No. 1793
S.D. 1
H.D. 1
C.D. 1

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

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

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1793, S.D. 1, H.D. 1, entitled:

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

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 measure is to grant the Natural Energy Laboratory of Hawaii Authority (NELHA) the authority to:

- (1) Directly communicate with the Governor and the Legislature;
- (2) Make decisions regarding employment, appointment, promotion, transfer, demotion, discharge, and job descriptions of all officers and employees without the approval of the Director of Business, Economic Development, and Tourism (DBEDT); and



- (3) Purchase supplies, equipment, and furniture without the approval of DBEDT.

Your Committee has amended this measure by:

- (1) Clarifying that NELHA's authority to:
 - (A) Communicate directly with the Governor and the Legislature; and
 - (B) Make employment related decisions and supply, equipment, and furniture purchases without DBEDT approval,

shall not apply to NELHA's powers or actions related to the Center of Excellence for Research in Ocean Sciences;

- (2) Increasing from eleven to thirteen, the number of members on the Board of NELHA (Board);
- (3) Increasing from three to five, the number of voting Board members appointed by the Governor, and requiring two of them to be selected from tenants of NELHA and three of them to be from the general public;
- (4) Recusing the tenant members of the Board from voting on lease rent or water rate issues, to avoid conflicts of interest;
- (5) Requiring a super majority vote of seven members to make decisions on lease rent or water rate issues; and
- (6) Making technical, nonsubstantive amendments for the purpose of clarity and style.

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 S.B. No. 1793, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1793, S.D. 1, H.D. 1, C.D. 1.

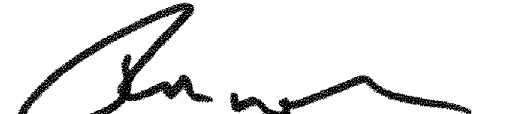


Respectfully submitted on behalf
of the managers:

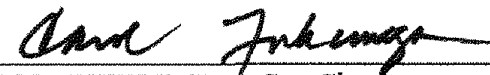
ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


KYLE T. YAMASHITA, Co-Chair


RON MENOR, Chair


HERMINA MORITA, Co-Chair


CAROL FUKUNAGA, Co-Chair


MARILYN G. LEE, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 1793, SD 1, HD 1	Date/Time: 4/24/08
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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	E	House Managers	A	WR	N	E
MENOR, Ron, Chr.	X				YAMASHITA, Kyle T., Co-Chr.	X			
FUKUNAGA, Carol, Co-Chr.	X				MORITA, Hermina M., Co-Chr.	X			
SLOM, Sam	X				LEE, Marilyn B., Co-Chr.	X			
					WAKAI, Glenn	X			
					CHING, Corinne W.L.				X
TOTAL	3				TOTAL	4			1

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is:
 Adopted Not Adopted

House Recommendation is:
 Adopted Not Adopted

Senate Lead Chair's or Designee's Signature:


House Lead Chair's or Designee's Signature:


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