Honolulu, Hawaii

Apr: 1 22 , 2010

RE:

H.B. No. 2831

H.D. 2

S.D. 2

C.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Honorable Colleen Hanabusa President of the Senate Twenty-Fifth State Legislature Regular Session of 2010 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. 2831, H.D. 2, S.D. 2, 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 bill is to authorize the Natural Energy Laboratory of Hawaii Authority (NELHA) to acquire, hold, and sell qualified securities subject to certain conditions, and to accept monetary donations, property, and services, from government agencies, corporations, or individuals.

Additionally, this measure defines the term "qualified security" and requires NELHA to include information relating to qualified securities and the acceptance of monetary donations in its annual report.

Your Committee on Conference finds that NELHA has been offered equity securities from tenants and investors in exchange for leases of property under its control. However, the Attorney General has informed NELHA that it does not have the statutory authority to accept or hold any equity securities and could be subject to lawsuit. This measure will expand the ability of NELHA to conduct business with tenants, potential investors, and donors, by

authorizing NELHA to accept and use qualified securities, donations,

Your Committee on Conference has amended this measure by changing its effective date to upon approval.

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. 2831, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2831, H.D. 2, S.D. 2, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE SENATE

or other monetary awards.

ON THE PART OF THE HOUSE

CAROL FUKUNAGA, Chaif

SHAN S. TSUTSUI, Co-Chair

ANGUS L.K. MCKELVEY, Co-Chair

ISAAC W. CHOY, Co-Cha

## Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.:  HB 2831 HDQ SDQ					Date/Time: 1:5a PM 04-19-10				
The recommendation of the House	and S	Senate	mana	gers	is to pass with amendments (CD).				
☐ The Committee is reconsidering its	prev	ious de	cisio	n.					
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	Α	WR	N	Е	House Managers	Α	WR	N	Е
Fukunaga, Carol Chr.	1				McKelvey, Angus L.K. Co-chr Choy, Isaac W. Co-chr	<b>V</b>			
Fukunaga, Carol Chr. Tsutsui, Shan S. Co-chr.	$\downarrow \checkmark$	_		ļ	Choy, Isaac W. Co-chr				
Slom, Sam			_	<b>√</b>	Evans, Cindy			·	
					Ward, Gene	_√			
		ļ <u>.</u>							
· · · · · · · · · · · · · · · · · · ·		ļ <u>.</u>							
	<u> </u>	<u> </u>					-		
· · · · · · · · · · · · · · · · · · ·									
				<u> </u>					
						Ш			
·									
TOTAL	2	<u></u>		\	TOTAL	4	_		1
	. = Ay	e with )	Reserv	vation	N = Nay E	= Exc	used		
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:				
Sand Francisco									
Distribution: / Original Yellow Pink Goldenrod File with Conference Committee Report House Clerk's Office Senate Clerk's Office Drafting Agency									су