

STAND. COM. REP. NO. 571

Honolulu, Hawaii

Feb 16, 2007

RE: H.B. No. 200
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 200, 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 direct the Auditor to conduct a financial and management audit of the deep water pumping system operated by the Natural Energy Laboratory of Hawaii Authority at Keahole, Hawaii.

Specifically, this measure provides for:

- (1) An evaluation and determination of a reasonable rate structure for pumped seawater;
- (2) A freeze on the rate charged for pumped seawater at the level in effect on the effective date of this measure until completion of the audit; and
- (3) Implementation of the rate structure recommended by the Auditor.

Your Committee received testimony in support of this measure from the Natural Energy Laboratory of Hawaii Authority and Office of Hawaiian Affairs.



Your Committee is reminded that the submerged lands and water column above them are ceded lands, to be held in trust for all people of the State, with Native Hawaiians entitled to their appropriate pro rata share of any proceeds from the trust assets. Further, section 1, article XI, of the state constitution requires that the State "[s]hall conserve and protect Hawaii's natural beauty and all natural resources, including land, water, air, minerals and energy sources, and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State."

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 200, H.D. 1, and recommends that it be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,



HERMINA MORITA, Chair



Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: HB 200 HD 1		Date: 2/15/07		
Committee Referral: EDB, EEP, FIN		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended <input type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Pass, with amendments, for recommittal for further consideration				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. MORITA, Hermina M. (C)	✓			
2. CARROLL, Mele (VC)	✓			
3. CHONG, Pono	✓			
4. ITO, Ken	✓			
5. MAGAOAY, Michael Y.	✓			
6. SAGUM, Roland D., III	✓			
7. SAIKI, Scott K.	✓			
8. THIELEN, Cynthia	✓			
TOTAL		8		
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <div style="text-align: center; font-family: cursive; font-size: 1.5em; margin-top: 10px;">Mele Carroll</div>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				