

STAND. COM. REP. NO.

2765

Honolulu, Hawaii

MAR - 3 2006

RE: S.B. No. 3272
S.D. 2

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 3272, S.D. 1, entitled:

"A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REIMBURSEMENT TO THE COUNTIES FOR THE ISSUANCE OF PARKING PLACARDS TO PERSONS WITH DISABILITIES,"

begs leave to report as follows:

The purpose of this measure is to appropriate funds to reimburse the counties for the cost of administering programs for parking for disabled persons.

Your Committee finds that, pursuant to federal law, the administration of programs for parking for disabled persons is a state responsibility. This responsibility, however, has been delegated to the counties under part III of chapter 291, Hawaii Revised Statutes.

Your Committee also finds that the counties have issued approximately 25,559 removable windshield placards and temporary removable windshield placards in fiscal year 2004-2005 to qualified disabled persons. Additionally, under rulings by the federal courts, the imposition of a fee on qualified persons with disabilities is an impermissible surcharge under the Americans with Disabilities Act. Thus, the counties have been unable to collect a fee for administering the program.

The legislature further finds that the State should reimburse the counties for the costs related to administering these

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programs. The state reimbursement to the counties in fiscal year 2005-2006 was \$105,300. However, based upon a unit cost of \$10 per placard, reimbursement to the counties should have been \$255,590.

This measure reimburses the counties for the remaining balance of the cost of administering programs for parking for disabled persons.

Your Committee has amended the measure by:

- (1) Changing the funding date to fiscal year 2006-2007 and changing the effective date of the measure to July 1, 2006;
- (2) Changing the appropriations to unspecified amounts for the purpose of furthering discussion;
- (3) Adding boilerplate language related to the State's share of mandated programs under article VIII, section 5, of the state constitution; and
- (4) Making technical amendments for purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3272, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3272, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,




BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Ways and Means
(Bills and Resolutions)

Measure:* SB 3272 SD1	Committee Referral: HTH/ IGA, WAM	Date: 2/24/06		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to: <input type="checkbox"/> Pass, unamended (2312) <input checked="" type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
TANIGUCHI, Brian T. (C)	/			
TSUTSUI, Shan S. (VC)	/			
ENGLISH, J. Kalani				/
ESPERO, Will	/			
FUKUNAGA, Carol				/
HOOSER, Gary L.				/
INOUYE, Lorraine R.	/			
KANNO, Brian	/			
KIM, Donna Mercado	/			
KOKUBUN, Russell S.	/			
NISHIHARA, Clarence K.	/			
SAKAMOTO, Norman				/
HEMMINGS, Fred	/			
SLOM, Sam		/		
TRIMBLE, Gordon		/		
TOTAL	9	2	0	4
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Do not list more than one measure per Record of Votes.