

STAND. COM. REP. NO.

3584

Honolulu, Hawaii

APR 11 2006

RE: S.C.R. No. 202

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

Sir:

Your Committees on Judiciary and Hawaiian Affairs and Intergovernmental Affairs, to which was referred S.C.R. No. 202 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO ANALYZE EXISTING LAW TO IDENTIFY ANY IMPEDIMENT TO THE DEPARTMENT OF TAXATION'S IMPLEMENTING THE COLLECTION OF THE COUNTY SURCHARGE BY JANUARY 1, 2007 AND REQUESTING THE DEPARTMENT OF TAXATION TO ESTABLISH A PLAN TO IMPLEMENT THE ADMINISTRATION AND COLLECTION OF A COUNTY SURCHARGE ON THE STATE GENERAL EXCISE TAX TO FUND COUNTY MASS TRANSPORTATION PROJECTS ON JANUARY 1, 2007,"

beg leave to report as follows:

The purpose of this measure is to request the Attorney General to analyze the existing law to identify any impediment to the Department of Taxation's implementation of the collection of the county general excise tax surcharge beginning January 1, 2007. This measure also requests the Department of Taxation to establish a plan to implement the administration and collection of the county surcharge on the general excise tax.

Your Committees received comments on this measure from the Attorney General.

Your Committees find that Act 247, Session Laws of Hawaii 2005 (Act 247), authorized the counties to establish a surcharge on the general excise tax to fund county mass transportation projects. Act 247 also authorized the Department of



Transportation to administer and collect the county surcharge and retain ten percent of the surcharge for administrative purposes.

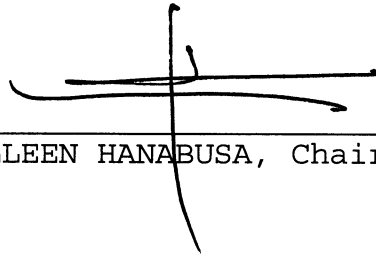
Your Committees further find that the Attorney General, as the State's legal officer, is the appropriate entity to analyze existing law to identify impediments to implementing the Department of Taxation's timely collection of the county surcharge. This analysis will enable the Legislature to take any necessary corrective action before the 2006 Regular Session is concluded.

As affirmed by the records of votes of the members of your Committees on Judiciary and Hawaiian Affairs and Intergovernmental Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 202 and recommend that it be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Hawaiian Affairs and
Intergovernmental Affairs,



DAVID Y. ISE, Chair




COLLEEN HANABUSA, Chair



The Senate
 Twenty-Third Legislature
 State of Hawaii

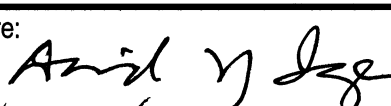
Record of Votes of the
 Committee on Judiciary and Hawaiian Affairs
 (Bills and Resolutions)

Measure:* SCR 202	Committee Referral: JHW/IGA, WAM	Date: 4/5/06		
<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 checked="" type="checkbox"/> Pass, unamended (2312) <input type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
HANABUSA, Colleen (C)	✓			
HEE, Clayton (VC)				✓
CHUN OAKLAND, Suzanne	✓			
ENGLISH, J. Kalani	✓			
IHARA, Jr., Les				✓
WHALEN, Paul	✓			
TOTAL	4	0	0	2
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.

**The Senate
Twenty-Third Legislature
State of Hawaii**

**Record of Votes of the
Committee on Intergovernmental Affairs
(Bills and Resolutions)**

Measure:*	Committee Referral:	Date:
SCR 202	JHW/IGA, WAM	4/5/2006
<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 checked="" type="checkbox"/> Pass, unamended (2312) <input type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)		
Members	Ayes	Ayes(WR)
IGE, David Y. (C)	✓	
KIM, Donna Mercado (VC)	✓	
BAKER, Rosalyn H.		
ENGLISH, J. Kalani	✓	
INOUYE, Lorraine R.		
NISHIHARA, Clarence K.		
SLOM, Sam		
TOTAL	3	1
		3
Recommendation:		
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
		
Distribution:		
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency
		Goldenrod Committee File Copy

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