

STAND. COM. REP. NO.

84

Honolulu, Hawaii

Feb 6, 2007

RE: H.B. No. 750

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

Sir:

Your Committee on Legislative Management, to which was referred H.B. No. 750 entitled:

"A BILL FOR AN ACT RELATING TO THE OFFICE OF THE OMBUDSMAN,"

begs leave to report as follows:

The purpose of this bill is to facilitate the investigations of the Office of the Ombudsman by authorizing the Ombudsman or an authorized representative to access tax returns and return information in connection with the Ombudsman's official duties, including the administrative acts of agencies.

The Ombudsman testified in support of this bill. The Department of Taxation opposed this measure, and the Tax Foundation of Hawaii offered comments.

Although the Governor vetoed a similar bill in 2006 because of concerns over confidentiality of a taxpayer's tax returns, your Committee notes that the Ombudsman is statutorily required to maintain confidentiality in investigations pursuant to section 96-9, Hawaii Revised Statutes. Your Committee concurs that allowing the Office of the Ombudsman to obtain tax return information is needed to investigate complaints received about an agency's administrative acts.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of

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H.B. No. 750 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Legislative
Management,


MICHAEL Y. MAGAOAY, Chair



