

STAND. COM. REP. NO.

638

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 1343
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 1343, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FEES AND OTHER ASSESSMENTS,"

begs leave to report as follows:

The purpose of this measure is to replace various administrative agency fees that had been established by administrative rule with statutory fees.

Your Committee received three written comments on this measure. The written comments may be reviewed on the Legislature's website.

Your Committee finds that this measure addresses concerns raised in the Hawaii Supreme Court's opinion in *Hawaii Insurers Council v. Lingle*. Establishing these fees by statute rather than by administrative rule avoids conflict with the separation of powers doctrine, while also making administrative fee more uniform.

Your Committee amended the bill by making technical, nonsubstantive amendments.

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. 1343, S.D. 1, as amended herein, and recommends that it pass

SB1343 SD2 SSCR LRB 09-2575.doc



Third Reading in the form attached hereto as S.B. No. 1343,
S.D. 2.

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


DONNA MERCADO KIM, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>SB 1343 SD1</i>	<i>JGO, WAM</i>	<i>02/26/09</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<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	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	✓			
TSUTSUI, Shan S. (VC)				✓
CHUN OAKLAND, Suzanne	✓			
ENGLISH, J. Kalani	✓			
FUKUNAGA, Carol	✓			
GALUTERIA, Brickwood	✓			
HEE, Clayton				✓
HOOSER, Gary L.	✓			
KIDANI, Michelle N.	✓			
KOKUBUN, Russell S.	✓			
TOKUDA, Jill N.	✓			
HEMMINGS, Fred			✓	
TOTAL	9		1	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
<i>[Handwritten Signature]</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes