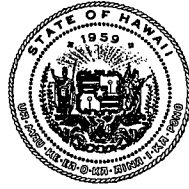


SB2611

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

SENATE COMMITTEE ON HEALTH
SENATE COMMITTEE ON TRANSPORTATION, INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS

SB 2611, Relating to Vital Statistics

Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health
February 3, 2010

1 **Department's Position:** The Department opposes this measure as written.

2 **Fiscal Implications:** The fees collected on copies and verifications are deposited into the State's
3 general fund and to various special funds. Exempting the counties from the payment requirements will
4 have a detrimental cost impact.

5 **Purpose and Justification:** The purpose of this bill is to mandate the Department of Health to provide
6 both the respective county clerks and each of the real property divisions, free of charge, access to
7 information on deceased individuals. It seeks to amend 338-4, Hawaii Revised Statutes (HRS), which
8 speaks to voter registration lists.

9 Chapter 338-14.5, HRS, provides a schedule for the deposit of collected fees received for
10 certified copies of birth, marriage, divorce, or death certificates issued by the Department of Health.
11 Each request for this information is considered a copy and the fee is therefore applied accordingly.
12 Chapter 338-14.3, HRS mandates that the Department provide verification in lieu of a certified copy, at
13 a substantially reduced fee comparative to the fees assessed for certified copies.

1 While the department appreciates the desire for the assessors to cross-check their real property
2 assessment data to that of the deceased, the responsibility for reporting deaths lies with Hawaii residents.
3 However, the counties have always had the option of sending an electronic file of names they wish to
4 check to the Department. The Department will run this list against our vital statistics data base – which
5 is confidential – to provide the desired information to the counties at the statutory fee. The counties do
6 not have a legal right to information about all citizen deaths. (The bill states “of voting age” but this is
7 irrelevant to county tax assessors.)

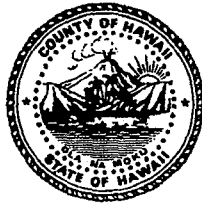
8 Nevertheless, counties want this information free of charge. The financial and personnel burden
9 that this bill seeks to impose on the Department of Health, especially in this time of fiscal crisis and
10 personnel cuts, is untenable and will impact the various recipients of the charges, including the State’s
11 general fund.

12 The Department does, however, strongly support the language contained on Page 2, Section 2,
13 lines 19 – 21 which appropriately requires that the social security numbers of the deceased be redacted
14 as part of any information provided for these purposes.

15 Thank you for this opportunity to provide testimony on this measure.

16

William P. Kenoi
Mayor



William T. Takaba
Managing Director

Walter K.M. Lau
Deputy Managing Director

County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 75-5722 Hanama Place, Suite 102 • Kailua-Kona, Hawai'i 96740
(808) 327-3602 • Fax (808) 326-5663

February 3, 2010

The Honorable David Y. Ige, Chair
And Members of the Senate Committee on Health
The Honorable J. Kalani English, Chair
And Members of the Senate Committee on
Transportation, International and Intergovernmental Affairs
415 South Beretania Street
Hawai'i State Capitol, Room 325
Honolulu, Hawai'i 96813

RE: Testimony in Support of Senate Bill No. 2611, Relating to Vital Statistics

Aloha,

The County of Hawai'i strongly supports Senate Bill 2611, relating to vital statistics, requiring the Director of the Department of Health to provide a list of all reported deaths to the real property assessment division of each county monthly and free of charge.

The County of Hawai'i Department of Finance, Real Property Tax Division is tasked with assessing real property and maintaining current ownership records for Ad Valorem tax purposes. The real property tax divisions must maintain current information on the owners of all real property to insure fair and equitable assessments.

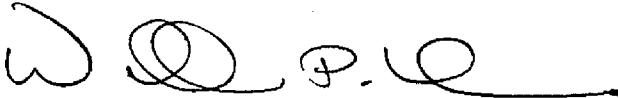
Maintaining the correct status of each owner is critical, but transfer of data has been lacking for several years. This makes the task of the real property divisions very difficult, and limits the accuracy of the information. The lack of up-to-date data often results in required adjustments to tax amounts, and causes undue hardship for taxpayers.

Other jurisdictions have similar mechanisms in place requiring the rapid and accurate transfer of this data regularly because they recognize the vital nature of this link.

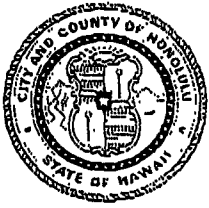
Honorable David Y. Ige
Honorable J. Kalani English
February 3, 2010
Page 2

We urge the committee to pass this bill to give the counties the means to administer real property tax programs in a timely, cost effective manner, and to eliminate costly adjustments to taxpayers. Implementation should not be difficult since the state Department of Health already provides this list to the County Clerks for election purposes.

Aloha,

A handwritten signature in black ink, appearing to read 'W. P. Kenoi', with a long horizontal line extending to the right.

William P. Kenoi
MAYOR



ELECTIONS

OFFICE OF THE CITY CLERK
530 SOUTH KING STREET, ROOM 100
HONOLULU, HAWAII 96813-3077
TELEPHONE: (808) 768-3800

BERNICE K.N. MAU
City Clerk

Comments on SB2611
Relating to Vital Statistics

Committee on HTH/TIA
Room 224
February 3, 2009
1:15 a.m.

WRITTEN TESTIMONY ONLY

Chairs Ige, Green, and Members:

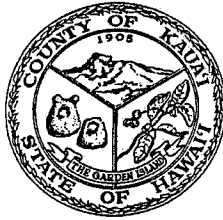
The Office of the City Clerk takes no position on the matter of whether death information should be reported to the County Real Property Taxation Offices.

However, our primary concern is that any amendments to HRS 338-4 not restrict or limit the Department of Health from reporting the deceased person's entire social security number (in addition to the other information currently reported) to the County Clerks for maintaining the voter registry.

Obtaining the complete personal information for the deceased increases the likelihood of accurately identifying the record that should be removed from the voter registry.

Thank you for the opportunity to testify.

Bernard P. Carvalho, Jr.
Mayor



Wallace Rezendes, Jr.
Director

Gary K. Heu
Administrative Assistant

Belma Baris
Deputy Director

DEPARTMENT OF FINANCE

Real Property Assessment Division
County of Kaua'i, State of Hawai'i
4444 Rice Street, Suite A-454, Lihu'e, Hawai'i 96766
TEL (808) 241-4224 FAX (808) 241-6252

February 3, 2010

Honorable David Y. Ige,
Chair, Senate Committee on Health
Hawaii State Capitol, Room 224
415 South Beretania Street
Honolulu, HI 96813

Honorable J. Kalani English
Chair, Senate Committee on Transportation, International and Intergovernmental Affairs
Hawaii State Capitol, Room 224
415 South Beretania Street
Honolulu, HI 96813

Dear Chair Ige, English and Members:

RE: Proposed SB2611 - Relating to Vital Statistics

The County of Kauai supports SB2611, which would require the department of health, within six weeks of the last day of each month and at no charge, to provide each county's real property assessment division a list of all persons age eighteen and older whose deaths were recorded by the department during the previous month.

Under existing law, only the county clerks of each county are provided with a list of citizens of voting age or older whose deaths have been recorded in the department, for purposes of removing the name of any registered voter from the general county register. The county clerks are precluded by the State from sharing the list with any other county agencies or using it for any other purpose.

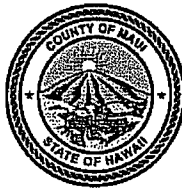
One additional change that we are requesting is to include the following or similar language in the proposed bill: "If the reported information of a deceased citizen matches the information of more than one taxpayer on a county's property assessment database and that county's real property assessment division notifies the department of health of that problem, the department of health shall provide the full social security number of that deceased taxpayer."

We respectfully urge your approval of this proposed amendment and thank you for the opportunity to testify on this matter.

Respectfully Submitted,

John W. Herring
Real Property Administrator
County of Kauai

CHARMAINE TAVARES
Mayor



KALBERT K. YOUNG
Director of Finance

AGNES M. HAYASHI
Deputy Director of Finance

SCOTT K. TERUYA
Administrator

GERY MADRIAGA
Assistant Administrator

COUNTY OF MAUI
DEPARTMENT OF FINANCE
REAL PROPERTY TAX DIVISION
70 E. KAAHUMANU AVENUE, SUITE A-16, KAHULUI, MAUI, HAWAII 96732
Assessment: (808) 270-7297 | Billing and Collection: (808) 270-7697 | Fax: (808) 270-7884
www.mauipropertytax.com

January 29, 2010

COMMITTEE ON HEALTH

Honorable Senator David Y. Ige, Chair

COMMITTEE ON TRANSPORTATION, INTERNATIONAL AND INTERGOVERNMENTAL AFFAIRS

Honorable Senator J. Kalani English, Chair

County of Maui, Department of Finance, Real Property Tax Division
Wednesday, February 3, 2010

Support of SB 2611, Relating to Vital Statistics

The County of Maui, Real Property Tax Division supports SB 2611, relating to vital statistics, which would provide each county's Real Property Tax Division with a monthly list of recorded deaths in its county from the State Department of Health (DOH) within six weeks after the end of the month and free of charge.

Obtaining the list of death certificates in a timely manner enables the Counties to promptly maintain their ownership records, update exemptions, audit circuit breaker applications and bill current taxpayers. Under existing law, the DOH is only required to furnish the county clerk of each county a list of names of all citizens of voting age or over whose deaths have been recorded in the department during each month.

For the years leading up to 2005, the DOH was providing the County of Maui Real Property Tax Division with the list of death certificates. We were informed that the DOH was no longer required to provide this information to the assessment offices and has caused hardship to affected taxpayers. When deaths are not reported to our office in a timely manner, exemptions are removed after the fact, and recalculations of taxes are made for all of the years the exemption should not have been granted. Many times when our office is not notified of a death, tax bills will be sent to an outdated mailing address resulting in non-payment of taxes, adding penalty and interest; and this may lead a parcel into tax sale foreclosure proceedings.

In addition to the proposed bill, we request that additional language be added to the end of Section 2, §338-4 to include: "If the reported information of a deceased citizen matches the information of more than one taxpayer on the county Real Property Tax Division's database and that county's administrator notifies the Department of Health of that problem, the Department of Health shall provide the full social security number of that deceased taxpayer."

We urge you to pass this important amendment and give the Counties the means to maintain their records in a timely manner for the public's best interest. Thank you for the opportunity to testify on the matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott K. Teruya".

Scott K. Teruya
Real Property Tax Division Administrator