

STAND. COM. REP. NO.

58

Honolulu, Hawaii

Feb 7, 2011

RE: H.B. No. 1090

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 1090 entitled:

"A BILL FOR AN ACT RELATING TO CHAPTER 243, HAWAII REVISED STATUTES,"

begs leave to report as follows:

The purpose of this bill is to promote openness and transparency to the provision of, and allow access to, fuel data essential to energy planning and policy development. Specifically, this measure clarifies:

- (1) That an entire fuel tax return filed with the Director of the Department of Taxation (DOTAX) is a public record available for public inspection;
- (2) That Environmental Response, Energy, and Food Security Tax returns are public record available for public inspection; and
- (3) The statute of limitations for the assessment or refund of the Environmental Response, Energy, and Food Security Tax.

The Department of Business, Economic Development, and Tourism and DOTAX testified in support of this bill. The Tax Foundation of Hawaii provided comments.

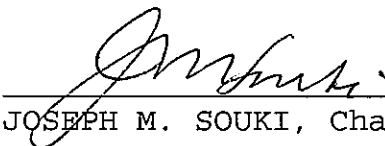
HB1090 HSCR TRN HMS 2011-1754



Currently, fuel tax returns are available for review. However, under existing statutory language, only certain information contained on a fuel tax return needs to be made public. Likewise, it is unclear as to what information associated with the Environmental Response, Energy, and Food Security Tax can be made public. This measure addresses these issues by clarifying that information contained in returns filed with the Director of Taxation for these taxes are public record. Allowing for greater access to this information will let policymakers, administrators, and the people of Hawaii make more informed decisions regarding Hawaii's energy future, particularly as additional alternative energy programs are developed.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1090 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 Transportation,

  
\_\_\_\_\_  
JOSEPH M. SOUKI, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

HSCR 98

Record of Votes of the Committee on Transportation

Bill/Resolution No.: <b>HB 1090</b>	Committee Referral: <b>TRN, FIN</b>	Date: <b>2/2/11</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>TRN Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. SOUKI, Joseph M. (C)	/			
2. ICHIYAMA, Linda (VC)	/			
3. AQUINO, Henry J.C.	/			
4. CULLEN, Ty	/			
5. LEE, Marilyn B.				/
6. LUKE, Sylvia				/
7. SAIKI, Scott K.	/			
8. TAKUMI, Roy M.	/			
9. YAMASHITA, Kyle T.	/			
10. FONTAINE, George R.	/			
11. JOHANSON, Aaron Ling	/			
<b>TOTAL (11)</b>	<b>9</b>			<b>2</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u><i>Linda Ichiyama</i></u>				
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