

Honolulu, Hawaii

FEB 14 2011

RE: S.B. No. 1309
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 1309 entitled:

"A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE LIEUTENANT GOVERNOR SPECIAL FUND,"

begs leave to report as follows:

The purpose and intent of this measure is to facilitate the Lieutenant Governor's performance of Secretary of State functions by:

- (1) Creating the lieutenant governor special fund (special fund);
- (2) Establishing fees for apostilles and certifications, copy services, and other Secretary of State services, for deposit into the special fund; and
- (3) Appropriating funds to carry out the purpose of the Act, including the hiring of staff.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor.

Your Committee finds that this measure provides resources for the Office of the Lieutenant Governor to invest in software and personnel to streamline its Secretary of State functions and reduce the Office's reliance on general funds. The special fund and service fees are intended to make the operations of the



Lieutenant Governor's Office fiscally self-sustaining by requiring those who benefit from these services to bear the costs.

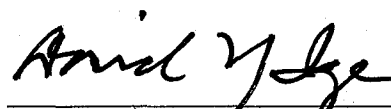
However, your Committee also finds that it is uncertain whether the special fund would in fact be self-sustaining and, if not, to what degree the Office of the Lieutenant Governor would continue to require general funds for its operations.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the provisions that establish the special fund and make appropriations therefrom;
- (2) Providing that fees charged by the Lieutenant Governor shall be deposited into the general fund;
- (3) Specifying the Lieutenant Governor's authority to issue apostilles;
- (4) Requiring the Auditor to analyze the establishment of the special fund, including the degree to which the special fund would cover the costs of the Lieutenant Governor's Secretary of State functions, and to report its findings to the 2012 Regular Session of the Legislature; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 1309, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1309, S.D. 1, and be placed on the calendar for Third Reading.

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



DAVID Y. IGE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1309	WAM	2-9-11		
<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
IGE, David Y. (C)	/			
KIDANI, Michelle N. (VC)	/			
CHUN OAKLAND, Suzanne	/			
DELA CRUZ, Donovan M.	/			
ENGLISH, J. Kalani	/			
ESPERO, Will				/
FUKUNAGA, Carol	/			
KIM, Donna Mercado	/			
KAHELE, Gilbert	/			
KOUCHI, Ronald D.	/			
RYAN, Pohai	/			
TOKUDA, Jill N.	/			
WAKAI, Glenn	/			
SLOM, Sam			/	
TOTAL	12	0	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes