

STAND. COM. REP. NO. 2799

Honolulu, Hawaii

MAR 04 2016

RE: S.B. No. 2844
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2844, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DISPOSITION OF EXCESS REVENUES,"

begs leave to report as follows:

The purpose and intent of this measure is reappropriate general revenues into the emergency and budget reserve fund to comply with the constitutional mandate to provide a tax refund or credit or make such a deposit.

Your Committee received written comments in support of this measure from the Department of Budget and Finance.

Your Committee finds that when certain economic conditions are met, article VII, section 6, of the Hawaii Constitution requires the Legislature to provide a tax refund or tax credit to state taxpayers or make a deposit into one or more funds, as provided by law, to serve as a reserve for the State. Your Committee also finds that these conditions were met at the end of fiscal years 2012-2013 and 2013-2014. Accordingly, the Legislature authorized the appropriation of \$10,000,000 in general revenue funds to be deposited into the emergency and budget reserve fund for fiscal year 2014-2015 under Act 202, Session Laws of Hawaii 2015. However, the Governor signed Act 202 on July 2, 2015, two days after the end of fiscal year 2014-2015, and the moneys could not be deposited. This measure reappropriates those moneys to meet the constitutional requirements.

SB2844 SD2 SSCR LRB 16-1644-1.doc



Your Committee finds that the need to revisit Act 202 provides an opportunity to address funding for homeless facilities and public housing repair and maintenance backlog issues that have received much attention since the end of the Regular Session of 2015.

Your Committee emphasizes that the State Constitution does not specify the amount required to be deposited into a reserve fund to comply with article VII, section 6. Consequently, your Committee has reduced the appropriation under Act 202 to \$1,000,000.

Of the other \$9,000,000, your Committee intends for \$5,000,000 to be appropriated for the purposes stated in Senate Bill No. 2559 (homelessness programs), and \$4,000,000 to be appropriated for the purposes stated in Senate Bill No. 2998 (Hawaii Public Housing Authority capital projects).

Your Committee has amended this measure by:

- (1) Changing the amount of the appropriation from \$10,000,000 to \$1,000,000; and
- (2) Making technical nonsubstantive changes for purposes of 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. 2844, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2844, S.D. 2.

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

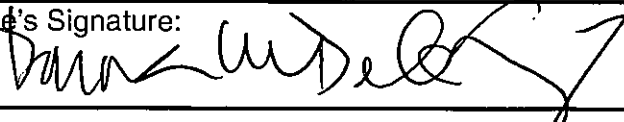


JILL N. TOKUDA, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 2844, SDI	Committee Referral: SDL, WAM	Date: 8/22/16		
<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
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood				/
HARIMOTO, Breene				/
INOUYE, Lorraine R.	/			
RIVIERE, Gil	/			
TANIGUCHI, Brian T.				/
WAKAI, Glenn	/			
SLOM, Sam	/			
TOTAL	8			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes