

STAND. COM. REP. NO.

2643

Honolulu, Hawaii

MAR 02 2018

RE: S.B. No. 2851
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2851 entitled:

"A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSES OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to amend various provisions of the Hawaii Revised Statutes and the Session Laws of Hawaii for the purposes of correcting errors and references, clarifying language, and deleting obsolete or unnecessary provisions.

Your Committee received testimony in support of this measure from the Legislative Reference Bureau. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that this statutory revision measure is submitted by the Legislative Reference Bureau pursuant to chapter 23G, Hawaii Revised Statutes. All of the statutory amendments proposed by this measure are intended to be technical in nature to correct errors, omissions, or obsolete laws. Your Committee also notes that this measure was reviewed by the Attorney General prior to its submission to the Legislature. A memorandum explaining the

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proposed amendments was submitted as part of the testimony of the Legislative Reference Bureau.

Your Committee notes that the Tax Foundation of Hawaii recommended in its comments a number of technical nonsubstantive amendments. Accordingly, your Committee has adopted the recommendations of the Tax Foundation of Hawaii and amended this measure by:

- (1) Amending section 235-110.7(a), Hawaii Revised Statutes, by repealing language relating to capital goods excise tax credit rates for calendar years prior to 2010;
- (2) Adding a new section to the measure amending the definition "financial corporation" in section 241-1, Hawaii Revised Statutes, by updating references to federal law;
- (3) Amending section 241-2(a) and (b), Hawaii Revised Statutes, by updating references to federal law;
- (4) Making technical nonsubstantive amendments for purposes of consistency and clarity; and
- (5) Changing the effective date to July 1, 2035, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2851, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2851, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2851	Committee Referral: JDC	Date: 2/20/18
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado				✓
THIELEN, Laura H.	✓			
TOTAL	3	0	0	2

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature: *Karl Rhoads*

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*Only one measure per Record of Votes