

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 2378
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committees on Ways and Means and Judiciary, to which was referred S.B. No. 2378 entitled:

"A BILL FOR AN ACT RELATING TO THE TAXATION BOARD OF REVIEW,"

beg leave to report as follows:

The purpose and intent of this measure is to enhance the administration of the Taxation Board of Review.

Specifically, the measure:

- (1) Replaces the current, volunteer ten-member Taxation Board of Review with a salaried, full-time three-member board;
- (2) Authorizes board members to validate board actions by a majority of the members who heard the appeal;
- (3) Clarifies that board meetings are contested case hearings and provides notice requirements;
- (4) Clarifies the legal and evidentiary framework the board may use in reaching its decisions; and
- (5) Appropriates moneys for salaries for board members and staff.



Your Committees received written comments in support of this measure from the Department of Taxation.

Your Committees received written comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committees find that the establishment of a full-time, professional Taxation Board of Review will help reduce the Department of Taxation's significant backlog of appeals, and ensure the fair and expeditious resolution of those appeals.

Your Committees have amended this measure by:

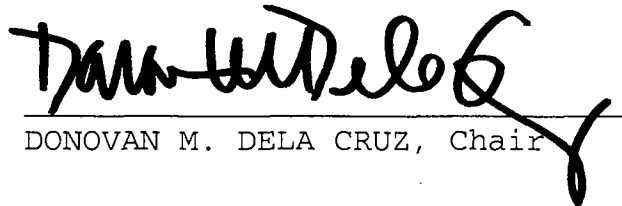
- (1) Specifying that the three members of the new Taxation Board of Review are "salaried members;"
- (2) Clarifying that the existing volunteer members of the board may hold over in office until their successors are appointed and qualified;
- (3) Changing the appropriation from \$518,452 to an unspecified amount; and
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2378, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2378, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Ways and Means
and Judiciary,



KARL RHOADS, Chair



DONOVAN M. DELA CRUZ, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:
SB 2378	GVO, WAM/JDC	3/2/22

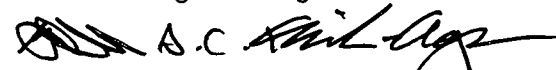
The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

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

Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MISALUCHA, Bennette E.	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
WAKAI, Glenn				X
FEVELLA, Kurt		X		
TOTAL	9	1		1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes

The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2378	Committee Referral: GVO, WAM/JDC	Date: 03-02-22		
<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
RHOADS, Karl (C)	✓			—
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt		✓		
TOTAL	6	1	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: Karl Rhoads				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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