STAND. COM. REP. NO. 990 -06

Honolulu, Hawaii

March 17, 2006

RE: S.B. No. 2156 S.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Legislative Management, to which was referred S.B. No. 2156, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE AUDITOR,"

begs leave to report as follows:

The purpose of this bill is to explicitly authorize the Office of the Auditor (Auditor) to examine and inspect all files and documents of the Department of Taxation (DOTAX), including the tax returns of any taxpayer, for the purposes of carrying out its auditing or other investigative duties.

The Auditor testified in support of this bill. DOTAX opposed this measure. The Tax Foundation of Hawaii offered comments.

Although the Auditor has broad authority to examine the files and documents of all departments, the Attorney General has concluded that this authority is not sufficient to overcome confidentiality provisions governing DOTAX. This bill will explicitly authorize the Auditor to have access to confidential tax returns.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2156, S.D. 2, and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

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Respectfully submitted on behalf of the members of the Committee on Legislative Management,

Makely Magaoay, Chair The Magaoay, Chair

State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Legislative Management

Bill/Resolution No.:	Date:			
SB 2156 SD2	3	/15/2006		
Committee Referral: LMG, JUD, FIN	☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	☐ Pass, with amendments			
☐ Hold	□ Re	ecommit		·
LMG Members	Ayes	Ayes (WR)	Nays	Excused
1. MAGAOAY, Michael Y. (C)	<u> </u>			
2. YAMANE, Ryan I. (VC)	<u> </u>			
3. OSHIRO, Blake K.	V,			
4. TAKAI, K. Mark	✓			
5. HALFORD, Chris				
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TOTAL	7		\	
The recommendation is:				
□ Not Adopted				
f joint referral,			ort recommendation	n.
Land Z Jan	nmittee acronym	(s)		
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee	Duplicate (Yello	ow) – Clerk's Office		