

Honolulu, Hawaii

April 29, 2011

RE: H.B. No. 801
H.D. 2
S.D. 2
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

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

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 801, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO TAXATION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this Act is to clarify the Department of Taxation's (DOTAX) subpoena authority for civil or criminal inquiries, investigations, and hearings.

Your Committee on Conference finds that this measure will assist DOTAX in enforcing the tax laws of the State. Facilitating the collection of delinquent taxes, which is particularly important in light of the State's current fiscal crisis, will help the State meet its financial obligations.



Upon further consideration, your Committee on Conference has amended this measure by:

- (1) In lieu of civil or criminal inquiries, clarifying the Director of DOTAX's authority to conduct civil audits and criminal investigations;
- (2) Changing its effective date to July 1, 2011; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 801, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 801, H.D. 2, S.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE



CLAYTON HEE, Chair

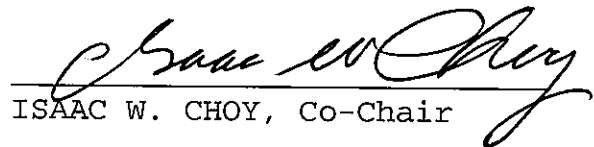


MICHELLE KIDANI, Co-Chair

ON THE PART OF THE HOUSE



ANGUS L.K. MCKELVEY, Co-Chair



ISAAC W. CHOY, Co-Chair



Hawaii State Legislature

CCR 118

**Record of Votes of a
Conference Committee**

Bill / Concurrent Resolution No.: HB 801, HD 2, SD 2	Date/Time: <i>04/28/2011 5:35 pm</i>
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The recommendation of the House and Senate managers is to pass with amendments (CD).


The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
HEE, Clayton, Chr.	✓				MCKELVEY, Angus L.K., Co-Chr.	✓			
KIDANI, Michelle, Co-Chr.	✓				CHOY, Isaac W., Co-Chr.	✓			
SHIMABUKURO, Maile S.L.				✓	AWANA, Karen L.	✓			
SLOM, Sam	✓				JORDAN, Jo				✓
					OSHIRO, Blake K.	✓			
					MARUMOTO, Barbara C.				✓
TOTAL	3	0	0	1	TOTAL	4	0	0	2

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 