

STAND. COM. REP. NO. 3579

Honolulu, Hawaii

APR 08 2016

RE: H.B. No. 1851
H.D. 1
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 H.B. No. 1851, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION,"

begs leave to report as follows:

The purpose and intent of this measure is to facilitate the full participation of members of the Public Utilities Commission in commission meetings.

More specifically, this measure allows a:

- (1) Member of the Public Utilities Commission to attend a public hearing of the commission, except for a contested case hearing, via teleconference or videoconference when the meeting is held on an island that is not the island of the member's residence;
- (2) Member of the Public Utilities Commission who is a resident of a county other than the City and County of Honolulu to receive per diem compensation; and
- (3) Person's island of residence to be considered as a criterion when determining the person's qualification to serve on the Public Utilities Commission.



Your Committee received written comments in support of this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Public Utilities Commission, and one individual.

Your Committee finds that allowing a member of the Public Utilities Commission to attend, via teleconference or videoconference, a meeting of the commission that is held on an island other than the island on which the member resides will reduce the time and expense of travel that would otherwise be entailed by the meetings. Your Committee further finds that providing per diem compensation to a commission member who resides on an island other than Oahu, when the commissioner renders actual service, will encourage qualified persons to serve on the commission and participate in commission meetings.

Your Committee requests that, as this measure moves forward in the legislative process, the subject matter committees consider whether the provision providing per diem payments should apply only to commissioners who are not residents of the City and County of Honolulu or should be expanded to include any commissioner who attends a commission meeting on an island other than the island on which the commissioner resides.

Your Committee further requests that the Public Utilities Commission provide an estimate of the annual cost of implementing this measure.

Your Committee notes that the Division of Consumer Advocacy (Division) of the Department of Commerce and Consumer Affairs submitted written comments in support of this measure. However, the Division suggested that the decision to allow participation in Public Utilities Commission meetings via teleconference or videoconference be left to the discretion of the chair of the commission, because there may be certain instances in which teleconference or videoconference participation would be impractical or inappropriate. Further, with respect to the issue of residency when considering a potential commissioner's qualifications, the Division observed that where a person grew up may be equally important to that person's perspective as where the person currently resides. For example, a person who grew up on a neighbor island but who currently resides on Oahu may likely have a closer affinity to the neighbor island than someone who has become a recent resident of that island.



Your Committee has amended this measure by changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

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 H.B. No. 1851, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1851, H.D. 1, S.D. 2.

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

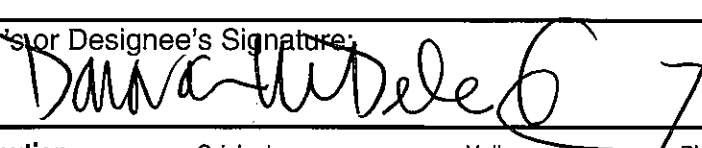


JILL N. TOKUDA, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1851, HD1, SD1	CPH, WAM	4/4/16		
<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	9			2
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