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Abercrombie spares TAT, may veto 10 other bills

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By Nancy Cook Lauer
West Hawaii Today
ncook-lauer@westhawaii.com

Hawaii County officials breathed a sigh of relief Monday afternoon, after learning Gov. Neil Abercrombie isn't going to veto a bill giving them a larger share of the transient accommodations tax.

But one Hawaii Island legislator is looking into why her bill is on the potential veto list, and Common Cause Hawaii is concerned that a bill requiring more transparency on boards and commissions is also on the list.

The governor announced his intent to veto 10 bills, in addition to his notification earlier this month of pending line-item vetoes in the state budget. It's not yet known if the Legislature will convene a special session to override any of the vetoes.

"I commend legislators for passing many important and relevant measures this session that will benefit Hawaii's residents, like higher minimum wage and land preservation," Abercrombie said in a statement. "However, there are a few bills I am considering vetoing because of input I have received from concerned individuals. Other bills, despite their good intentions, will not work as they are written."

The governor is required by law to give lawmakers 10 days notice of potential vetoes. He has until July 8 to sign or veto bills or they become law without his signature.

As of June 19, Abercrombie had enacted 105 of the 245 bills passed during the legislative session that ended May 1, according to the legislative Reference Bureau. He signed another 16 bills Friday.

Hawaii County Mayor Billy Kenoi is glad that HB 1671 isn't on the list. The bill doesn't remove the cap the Legislature had put on the county's share of the transient accommodations tax, or TAT, but it does increase the amount, giving the counties some relief.

"All of the mayors and the county councils worked together this year to make a strong and compelling case for lifting the cap," Kenoi said through a spokesman. "We appreciate the decision by the state Legislature and the governor to increase the counties' share ... and we look forward to continuing this discussion next year."

The county is using the entire amount of the extra transient accommodations tax, \$1.86 million, to bolster the county's GASB 45 account for future health benefits for retirees. The TAT is a surcharge on hotel rooms and rentals of less than 180 consecutive days.

State Rep. Cindy Evans, D-North Kona, North Kohala, South Kohala, said she's planning to look into why

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Abercrombie included on his list one of the bills she introduced, HB 2163, giving both parents parity in awarding custody of a minor child.

Evans said the bill doesn't automatically give both parents custodial rights, but starts with a presumption of parity unless there's a reason a parent shouldn't have joint custody.

"Having a mother and father in your upbringing is important," Evans said. "I'll have to do some research to find out why it's on the list."

Evans added that the Legislature generally doesn't call a veto override session unless an extremely important bill is on the list.

"Something of such statewide significance that the Legislature feels it has to come back," she said.

Common Cause Hawaii was particularly concerned about the possible veto of SB 2682, requiring the financial disclosure statements of members of certain boards, commissions and agencies to be made available for public inspection and duplication.

"We just think it's shameful that the governor put the needs of those in power over the needs and requests from the public for transparency and accountability," said Executive Director Carmille Lim.

Other bills on the potential veto list:

- HB 1288 — Clarifies that the successor to the Office of Lieutenant Governor, when the Office of Lieutenant Governor becomes vacant, must be a member of the same political party as the governor.
- HB 2427 — Repeals and transfers the unencumbered balances of various non-general funds and accounts.
- SB 60 — Affords victims and surviving immediate family members, and any accompanying loved ones, the right to participate in restorative justice processes for the harm suffered by the victim, upon written request, and requires those parties to be informed of this right by the police or prosecutor.
- SB 2431 — Makes permanent the exemptions granted to the Hawaii Tourism Authority, under certain conditions, from the supervision of accounts by the Comptroller, requirements for publication of consolidated financial statements, and approval of business and accounting forms. Also makes permanent the deposit of interest and revenues or receipts into the tourism special fund.
- SB 2483 — Clarifies that a condominium association's lien is subordinate to real property taxes, rather than all taxes. Clarifies that a condominium association may assess unpaid common fees against any purchaser who purchases a delinquent unit in a foreclosure. Specifies that a condominium board may only fill board vacancies temporarily until a duly noticed election.
- SB 2589 — Transfers the law enforcement functions of the Harbors Division of the Department of Transportation to the Department of Public Safety as of July 1, 2016.
- SB 2821 — Adopts revisions to the National Association of Insurance Commissioners' model laws.
- SB 2874 — Amends the composition of the Board of Land and Natural Resources by requiring that at least one member shall have a background in Native Hawaiian traditional and customary practices, who shall not be the same member with a background in conservation and natural resources.

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