STAND. COM. REP. NO. 313

Honolulu, Hawaii Feb 16, 2011

RE: H.B. No. 250

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

Sir:

Your Committee on Legislative Management, to which was referred H.B. No. 250 entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYMENT OF ATTORNEYS,"

begs leave to report as follows:

The purpose of this bill is to clarify Hawaii's law relating to the employment of attorneys by various state departments. Specifically, this measure allows the Hawaii State Ethics Commission (Commission) to employ or retain the services of an attorney, by contract or otherwise, for the purpose of representing the State or the Commission in any litigation, rendering legal counsel to the Commission, or drafting legal documents for the Commission.

The Commission testified in support of this bill.

Under current state law, state departments, other than the Department of the Attorney General, are not allowed to employ or retain the services of legal counsel to perform various legal services. However, a number of agencies have been exempted from this requirement and are allowed to hire their own attorneys for certain purposes. Your Committee finds that, since the Commission stated that it already employs attorneys in order to preserve its independence, this measure is purely housekeeping in nature.

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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 H.B. No. 250 and recommends that it pass Second Reading and be referred to the Committee on Finance.

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

KYLE T. YAMASHITA, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature



Record of Votes of the Committee on Legislative Management

Bill/Resolution No.: HB 250	Committee Refer		Date:	02/11/	1/
The committee is reconsidering its p	evious decision on the	measure.			
	ss, unamended (as is) ss short form bill with l		vith amendments (H it for future public	•	
LMG Members		Ayes	Ayes (WR)	Nays	Excused
. YAMASHITA, Kyle T. (C)					
. TOKIOKA, James Kunane (V	C)	V			
MANAHAN, Joey				a a contra	
OSHIRO, Blake K.		V			
. WARD, Gene					
WARD, Gene					
	····				
TOTAL (5)		5		-	
•	·	Not Adopted	did not support	recommendation.	
ice Chair's or designee's signature:	(44,00)	Y MM	η		
istribution: Original (White) – Comr	nittee Duplicate	(Yellow) – Ch	ief Clerk's Office	Duplicate (Pi	nk) – HMSO