Honolulu, Hawaii February 13, 2014

RE: H.B. No. 2245

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2245 entitled:

"A BILL FOR AN ACT RELATING TO THE PROTECTION OF CHARITABLE ASSETS,"

begs leave to report as follows:

The purpose of this measure is to statutorily establish the authority of the Attorney General's oversight over charitable assets regardless of the form in which they are held.

The Department of the Attorney General and the Commission to Promote Uniform Legislation testified in support of the measure.

Your Committee finds that the Attorney General's role in providing oversight of Hawaii's charitable organizations is recognized under common law and through various provisions of the Hawaii Revised Statutes, including but not limited to provisions in chapters 323D, 414D, 431, 467B, 517E, 554, and 554B, Hawaii Revised Statutes. Your Committee also finds that codifying section 3 of the Model Protection of Charitable Assets Act, adopted by the National Conference of Commissioners on Uniform State Laws, will provide certainty that the Attorney General has oversight over charitable assets regardless of the form in which they are held and may investigate breaches of duty, diversions of charitable assets, and intervene in actions for the protection of charitable assets.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2245 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

ANGUS L.K. McKELVEY, Chair

State of Hawaii House of Representatives The Twenty-seventh Legislature

HSCR 385.14

Record of Votes of the Committee on Consumer Protection and Commerce

Bill/Resolution No.:	CPC, JUD	Date:	02/10	11/1
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)				
2. KAWAKAMI, Derek S.K. (VC)				
3. BELATTI, Della Au	, , , , , , , , , , , , , , , , , , ,			
4. BROWER, Tom				
5. CACHOLA, Romy M.				
6. CREAGAN, Richard				
7. EVANS, Cindy				
8. HAR, Sharon E.				
9. ITO, Ken				
10. LEE, Chris				
11. NAKASHIMA, Mark M.		:		
12. OSHIRO, Marcus R.				
13. TSUJI, Clift			" ··-	
14. YAMANE, Ryan I.				
15. MCDERMOTT, Bob				
16. THIELEN, Cynthia				
			100	
			-	
,				
TOTAL (16)	- 13			7
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				