

Honolulu, Hawaii

April 19, 2010

RE: S.C.R. No. 18
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Legislative Management, to which was referred S.C.R. No. 18, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE INVESTIGATING COMMITTEE TO OVERSEE THE INVESTIGATION OF THE DEPARTMENT OF BUDGET AND FINANCE'S HANDLING OF THE STATE'S INVESTMENT IN STUDENT LOAN AUCTION RATE SECURITIES,"

begs leave to report as follows:

The purpose of this concurrent resolution is to help determine whether the State acted legally and responsibly in investing \$1,100,000,000 in student loan auction rate securities. This measure establishes a joint legislative investigating committee (investigating committee) to oversee the investigation of the Department of Budget and Finance's (B&F) handling of the State's investment in these securities and to report back to the 2011 Legislature.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, testified in support of this concurrent resolution. The Department of the Attorney General (AG) opposed this measure. B&F offered comments.

The AG testified that in the event litigation becomes necessary, having an investigating committee questioning witnesses under oath may adversely affect the litigation.

SCR18 HD1 HSCR LMG HMS 2010-3258



Your Committee has therefore amended this concurrent resolution by:

- (1) Establishing procedures to prevent any actions of the investigating committee from jeopardizing any litigation; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 18, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 18, S.D. 1, H.D. 1.

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



JAMES KUNANE TOKIOKA, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

Record of Votes of the Committee on Legislative Management


Bill/Resolution No.: SCR 18	Committee Referral: LMG, FIN	Date: 4/16/2010
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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)

LMG Members	Ayes	Ayes (WR)	Nays	Excused
1. TOKIOKA, James Kunane (C)	✓			
2. OSHIRO, Blake K. (VC)	✓			
3. CHONG, Pono	✓			
4. EVANS, Cindy	✓			
5. PINE, Kymberly Marcos		✓		
TOTAL (5)	4	1		

The recommendation is: Adopted Not 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