

STAND. COM. REP. NO.

627

Honolulu, Hawaii

MAR 04 2011

RE: S.B. No. 1233
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 1233, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE SOLICITATION OF FUNDS FROM THE PUBLIC,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the current law governing the solicitation of funds from the public to:

- (1) Allow service of process by substitute service;
- (2) Allow the Attorney General to accept assurances of discontinuance and to issue cease and desist orders for violations of the law;
- (3) Clarify charity registration exemptions; and
- (4) Clarify the time period for the filing of a charity's annual financial report.

Your Committee received testimony in support of this measure from Robert Witt, Executive Director, Hawaii Association of Independent Schools; The Nature Conservancy of Hawaii; and Holly J. Huber. Your Committee received comments on this measure from the Department of the Attorney General.



Your Committee finds that there are over 1,670 charitable organizations that solicit funds from Hawaii donors currently registered with the Department of the Attorney General. Your Committee also finds that only thirty-five per cent of these registered charities are domiciled in the State. Your Committee further finds that the provisions of this measure will assist the Department of the Attorney General with its oversight of charitable organizations soliciting funds and benefit both the people of this State and the charities themselves.

Your Committee has amended this measure by:

- (1) Changing the amounts of certain charitable organizations filing fees to unspecified amounts;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

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 S.B. No. 1233, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1233, S.D. 2.

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




DAVID Y. IGE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1233 SD1	CPN/JDL, WAM	2/24/11		
<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
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)				✓
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
FUKUNAGA, Carol	✓			
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.	✓			
RYAN, Pohai	✓			
TOKUDA, Jill N.	✓			
WAKAI, Glenn	✓			
SLOM, Sam	✓			
TOTAL	13	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes