

Honolulu, Hawaii

APR 24 2014

RE: S.B. No. 2368
S.D. 1
H.D. 1
C.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

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

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2368, S.D. 1, H.D. 1, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to codify a portion of the Model Protection of Charitable Assets Act (Act) to:

- (1) Require the Attorney General to protect charitable assets, regardless of the form in which they are held;
- (2) Authorize the Attorney General to enforce the application of the charitable asset to prevent or remedy the misapplication, diversion, waste, or breach of duty in management of a charitable asset or commence or intervene in an action to do the same; and



(3) Authorize the Attorney General to conduct investigations.

Your Committee on Conference finds that this measure codifies section 3 of the Act. One of the major goals of the Act is to articulate the Attorney General's duty to represent the public interest in the protection of charitable assets. The Act declares and clarifies the scope of the Attorney General's duty to protect charitable assets but does not limit the authority or powers that already exist.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date from December 21, 2112, to upon approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2368, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2368, S.D. 1, H.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE



ANGUS L.K. MCKELVEY, Co-Chair



KARL RHOADS, Co-Chair

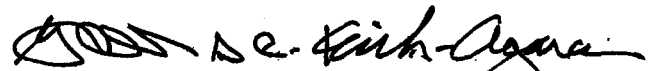


DEE MORIKAWA, Co-Chair

ON THE PART OF THE SENATE



CLAYTON HEE, Chair



GILBERT S.C. KEITH-AGARAN, Co-Chair



Hawaii State Legislature

CCR 45-14

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 2368, SD 1, HD 1	Date/Time: <i>4/23/14 1:46 pm</i>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

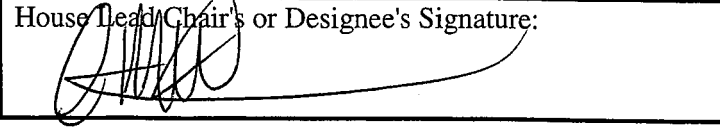
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
HEE, Clayton, Chr.	<i>1</i>				MCKELVEY, Angus L.K., Co-Chr.	<i>1</i>			
KEITH-AGARAN, Gilbert S.C., Co-Chr.	<i>1</i>				RHOADS, Karl, Co-Chr.	<i>X</i>			
SLOM, Sam	<i>1</i>				MORIKAWA, Dee, Co-Chr.	<i>X</i>			
					BELATTI, Della Au				<i>X</i>
					HAR, Sharon E.	<i>X</i>			
					MCDERMOTT, Bob				<i>X</i>
TOTAL	<i>3</i>	<i>0</i>	<i>0</i>	<i>0</i>	TOTAL	<i>4</i>	<i>0</i>	<i>0</i>	<i>2</i>

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is:
 Adopted Not Adopted

House Recommendation is:
 Adopted Not Adopted

Senate Lead Chair's or Designee's Signature:


House Lead Chair's or Designee's Signature:


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