



TESTIMONY OF THE STATE ATTORNEY GENERAL TWENTY-FOURTH LEGISLATURE, 2008

ON THE FOLLOWING MEASURE:

H.B. NO. 2309, MAKING AN APPROPRIATION RELATING TO THE OVERSIGHT OF CHARITABLE ORGANIZATIONS.

BEFORE THE:

HOUSE COMMITTEES ON CONSUMER PROTECTION & COMMERCE AND ON JUDICIARY

DATE: Thursday January 31, 2008 **TIME:** 3:00

LOCATION: State Capitol, Room 325
Deliver to: Vice Chair McKelvey, Room 315, 5 copies

TESTIFIER(S): Mark J. Bennett, Attorney General
or Hugh R. Jones, Supervising Deputy Attorney General

Chairs Herkes and Waters and Members of the Committee:

The Attorney General appreciates that this bill proposes to appropriate funds to the Attorney General in furtherance of the Department's charitable oversight role. The Attorney General clearly needs additional human resources to perform this oversight role as well as enforce and administer provisions of chapters 414D and 467B, Hawaii Revised Statutes. In addition, the adoption of a charity registration law without providing additional human resources to review the registration forms and financial data and to enforce the law will not provide effective charitable oversight in Hawaii.

The Attorney General would prefer that the Committees pass out H.B. No. 3046, which is based upon the Model Act for the Solicitation of Funds for Charitable Purposes drafted by the National Association of Attorneys General and the National Association of State Charity Officials. H.B. No. 3046 proposes to adopt a charity registration law and to strengthen chapter 467B, Hawaii Revised Statutes, and appropriate moneys from the Solicitation of Funds for Charitable Purposes Special Fund for additional human resources in charitable oversight.

Accordingly, although this measure is well intended, we respectfully request favorable consideration and passage of H.B. No. 3046, rather than this measure.



Legislative Testimony

HB2309 RELATING TO CHARITABLE ORGANIZATIONS
COMMITTEE ON CONSUMER PROTECTION & COMMERCE
COMMITTEE ON JUDICIARY

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The Office of Hawaiian Affairs believes that better oversight and monitoring of charitable organizations is necessary which is why we support HB No. 2309.

We hope that Hawaii will join with thirty-nine (39) other states that already require registration of charitable soliciting organizations. However, we believe that a modified version of HB No. 2308 is sufficient for these ends. Additional legislation specifically relating to the percentage of raised funds or other specific purposes as referenced in HB No. 2309 are ill-advised. We believe that such additional requirements would prove overly cumbersome and would only serve to complicate matters for non-profit and charitable organizations whose administrative capacity is already strained.

Thank you for allowing us to submit testimony.