

**TESTIMONY**  
**SB2301**  
**LATE**



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-FIFTH LEGISLATURE, 2010**

**LATE TESTIMONY**

**ON THE FOLLOWING MEASURE:**

S.B. NO. 2301, RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

**BEFORE THE:**

SENATE COMMITTEE ON  
WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS

**DATE:** Friday, January 29, 2010 **TIME:** 2:45 p.m.

**LOCATION:** State Capitol, Room 229

**TESTIFIER(S):** Mark J. Bennett, Attorney General, or  
Randall K. Ishikawa, Deputy Attorney General

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Chair Hee and Members of the Committee:

The Department of the Attorney General has the following concerns with this bill:

- (1) The bill uses the term "of native Hawaiian origin" at p. 5, ln. 19-21, p. 8, ln 8-11, p. 9, ln. 7-9, p. 10, ln. 14-15, p. 11, ln.5-7, and p. 19, ln.13-15, but does not set forth a definition of the term "of native Hawaiian origin." To eliminate confusion, a definition of that term should be included.
- (2) The bill uses the term "prehistoric or historic burial site that may be associated with the native Hawaiian people" at p. 6, ln. 19-22. As with the concern set forth in paragraph 1, above, the term "associated with the native Hawaiian people" is not defined. To eliminate confusion, a definition of that term should be included. In addition, it is unclear whether the use of the term "associated with the native Hawaiian people," as opposed to the term "of native Hawaiian origin," has any significance.
- (3) P. 7, ln. 17, should be corrected as follows: "office of Hawaiian affairs."

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**(END)**