



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-EIGHTH LEGISLATURE, 2015**

ON THE FOLLOWING MEASURE:

H.B. NO. 1219, H.D. 1, Proposed S.D. 1, RELATING TO CONSUMER PROTECTION.

BEFORE THE:

SENATE COMMITTEES ON COMMERCE AND CONSUMER PROTECTION AND ON
WAYS AND MEANS

DATE: Tuesday, March 31, 2015

TIME: 9:00 a.m.

LOCATION: State Capitol, Room 211

TESTIFIER(S): WRITTEN COMMENTS ONLY. For more information, call
Deputy Attorney General Diane Erickson, 586-0618

Chair Baker and Chair Tokuda and Members of the Committees:

The Attorney General has comments on proposed Senate Draft 1 of this bill.

Proposed Senate Draft 1 deletes the prior contents of this bill and inserts the contents from another bill relating to the Commissioner of Deeds program in the Office of the Lieutenant Governor. We would recommend that the Committees expressly articulate that the proposed new content relates to consumer protection and how it does so.

In addition, assuming that the contents of the bill relating to the Commissioner of Deeds is retained in Senate Draft 1, for the reasons described below, we recommend that paragraph (2) on page 5, lines 3-4, relating to appropriations made by the Legislature to the revolving fund be deleted and paragraph (3) be renumbered to (2).

Section 37-62, Hawaii Revised Statutes, defines "revolving fund" to mean "a fund from which is paid the cost of goods and services rendered or furnished to or by a state agency and which is replenished through charges made for the goods or services or through transfers from other accounts or funds." If the program is intended to operate through a revolving fund as a self-sustaining program by way of charges for services or through transfers from other accounts or funds, then the wording on page 5, lines 3-4, should be deleted. Initial funding for the revolving fund can be provided by the Legislature. If the Legislature chooses to provide initial funding for the revolving fund, then a section should be added providing for such an appropriation.

Thank you for the opportunity to provide comments on this Proposed Senate Draft 1.