



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-NINTH LEGISLATURE, 2017**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 74, H.D. 1, RELATING TO THE EMPLOYMENT OF ATTORNEYS.

**BEFORE THE:**

SENATE COMMITTEE ON JUDICIARY AND LABOR

**DATE:** Monday, March 13, 2017

**TIME:** 9:30 a.m.

**LOCATION:** State Capitol, Room 016

**TESTIFIER(S):** Douglas S. Chin, Attorney General, or  
Patricia T. Ohara, Supervising Deputy Attorney General

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Chair Keith-Agaran and Members of the Committee:

The Department of the Attorney General submits comments on this bill. This bill replaces a requirement that the Speaker of the House of Representatives and the President of the Senate must jointly request legal representation for a legislative office before that office may receive legal representation with a requirement that allows either the Speaker's request or the President's request, as appropriate, to constitute a sufficient request.

This bill speaks to the Department of the Attorney General's representation of legislative *bodies* and not of individual legislators. This bill authorizes the Speaker to request the Attorney General to represent the House, and the President to request representation of the Senate. The bill amends section 28-8.3, Hawaii Revised Statutes (HRS), to delete the current requirement that both the Speaker and the President must jointly request the Attorney General for representation regardless of which legislative body needed the representation. There remain provisions in chapter 28 and 26-7, HRS, to require the Attorney General to provide legal services, including representation and advice and counsel to the State, which includes individual legislators when acting within the scope of their legislative authority.

Thank you for the opportunity to comment.