A BILL FOR AN ACT

RELATING TO THE EMPLOYMENT OF ATTORNEYS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1	SECTION 1. Section 28-8.3, Hawaii Revised Statutes, is
2	amended by amending subsection (a) to read as follows:
3	"(a) No department of the State other than the attorney
4	general may employ or retain any attorney, by contract or
5	otherwise, for the purpose of representing the State or the
6	department in any litigation, rendering legal counsel to the
7	department, or drafting legal documents for the department;
8	provided that the foregoing provision shall not apply to the
9	employment or retention of attorneys:
10	(1) By the public utilities commission, the labor and
11	industrial relations appeals board, and the Hawaii
12	labor relations board;
13	(2) By any court or judicial or legislative office of the
14	State; provided that if the attorney general is
15	requested to provide representation to $[a]$:

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1		(A) A court or judicial office by the chief justice
2		or the chief justice's designee[, or to a
3		legislative office];
4		(B) The house of representatives by the speaker of
5		the house of representatives [and]; or
6		(C) The senate by the president of the senate
7		[jointly,];
8		and the attorney general declines to provide such
9		representation on the grounds of conflict of interest,
10		then the attorney general shall retain an attorney for
11		the court, judicial[, or legislative] office, or house
12		of the legislature, subject to approval by the court,
13		judicial[, or legislative] office[;], speaker of the
14		house of representatives, or president of the senate,
15		as the case may be;
16	(3)	By the legislative reference bureau;
17	(4)	By any compilation commission that may be constituted
18		from time to time;
19	(5)	By the real estate commission for any action involving
20		the real estate recovery fund;

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         (6)
              By the contractors license board for any action
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               involving the contractors recovery fund;
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              By the [office] Office of Hawaiian [affairs;] Affairs;
         (7)
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         (8)
              By the department of commerce and consumer affairs for
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               the enforcement of violations of chapters 480 and
              485A;
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         (9)
              As grand jury counsel;
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        (10)
              By the Hawaii health systems corporation, or its
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              regional system boards, or any of their facilities;
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        (11)
              By the auditor;
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        (12)
              By the office of ombudsman;
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        (13)
              By the insurance division;
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        (14)
              By the University of Hawaii;
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        (15)
              By the Kahoolawe island reserve commission;
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        (16)
              By the division of consumer advocacy;
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        (17)
              By the office of elections;
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        (18)
              By the campaign spending commission;
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        (19)
              By the Hawaii tourism authority, as provided in
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              section 201B-2.5;
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        (20)
              By the division of financial institutions for any
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              action involving the mortgage loan recovery fund;
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1	(21) By the office of information practices; or		
2	(22) By a department, if the attorney general, for reason		
3	deemed by the attorney general to be good and		
4	sufficient, declines to employ or retain an attorney		
5	for a department; provided that the governor waives		
6	the provision of this section."		
7	SECTION 2. Statutory material to be repealed is bracketed		
8	and stricken. New statutory material is underscored.		
9	SECTION 3. This Act shall take effect on January 7, 2059		
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Report Title:

Legislature; Attorneys; Senate; House of Representatives

Description:

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 respective house may receive legal representation with a requirement that allows either the speaker's request or the senate president's request, as appropriate, to constitute a sufficient request. Takes effect on 1/7/2059. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.