

ACT 178

H.B. NO. 1834

A Bill for an Act Relating to the Hawaii Public Procurement Code.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 28, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§28- Employment of attorneys. (a) No department of the State other than the attorney general may employ or retain any attorney, by contract or otherwise, for the purpose of representing the State or the department in any litigation, rendering legal counsel to the department, or drafting legal documents for

the department; provided that the foregoing provision shall not apply to the employment or retention of attorneys:

- (1) By the public utilities commission, the labor and industrial relations appeals board, and the Hawaii labor relations board;
- (2) By any court or judicial or legislative office of the State;
- (3) By the legislative reference bureau;
- (4) By any compilation commission that may be constituted from time to time;
- (5) By the real estate commission for any action involving the real estate recovery fund;
- (6) By the contractors license board for any action involving the contractors recovery fund;
- (7) By the trustees for any action involving the travel agency recovery fund;
- (8) By the office of Hawaiian affairs;
- (9) By the department of commerce and consumer affairs for the enforcement of violations of chapters 480 and 485;
- (10) As grand jury counsel;
- (11) By the Hawaiian home lands trust individual claims review panel; or
- (12) By a department, in the event the attorney general, for reasons deemed by the attorney general good and sufficient, declines to employ or retain an attorney for a department; provided that the governor thereupon waives the provision of this section.

(b) For purposes of this section the term "department" includes any department, board, commission, agency, bureau, or officer of the State.

(c) Every attorney employed by any department on a full-time basis, except an attorney employed by the public utilities commission, the labor and industrial relations appeals board, the Hawaii labor relations board, the office of Hawaiian affairs, the department of commerce and consumer affairs in prosecution of consumer complaints, or the Hawaiian home lands trust individual claims review panel, or as grand jury counsel, shall be a deputy attorney general.

(d) All attorneys retained by contract, whether by the attorney general or a department, shall be retained in accordance with chapter 103D."

SECTION 2. Section 84-15, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) A state agency shall not enter into any contract to procure or dispose of goods or services, or for construction, with a legislator, [or] an employee, or [with] a business in which a legislator or an employee has a controlling interest, involving services or property of a value in excess of [\$4,000] \$10,000 unless:¹ [the contract has been awarded through an open, public process. A state agency may, however, enter into such contract without resort to a competitive bidding process when, in the judgment of the agency, the property or services should not, in the public interest, be acquired through competitive bidding; provided that written justification for the noncompetitive award of such contract shall be made a matter of public record and shall be filed with the state ethics commission at least ten days before such contract is entered into.

With respect to members of boards, commissions, and committees, this subsection shall apply only to contracts entered into between a business in which a member has a controlling interest and a state agency which has jurisdiction over the board, commission, or committee to which the member is appointed.]

- (1) The contract is awarded by competitive sealed bidding pursuant to section 103D-302;

- (2) The contract is awarded by competitive sealed proposal pursuant to section 103D-303; or
- (3) The agency posts a notice of its intent to award the contract and files a copy of the notice with the state ethics commission at least ten days before the contract is awarded.”

SECTION 3. Section 103D-102, Hawaii Revised Statutes, is amended to read as follows:

“[[§103D-102]] Application of this chapter. (a) [This chapter shall apply only to contracts solicited or entered into after the effective date of this chapter, unless the parties agree to its application to a contract solicited or entered into prior to the effective date.

(b) This chapter shall apply to every expenditure of public funds irrespective of their source by a governmental body as defined herein, under any contract; provided that the expenditure of federal assistance moneys shall be in accordance with federal requirements. This chapter shall not apply to:

- (1) Grants, subsidies, or purchases of services² made pursuant to chapter 42D;
- (2) Employment agreements or collective bargaining agreements;
- (3) The purchase of goods, services, or construction from any other governmental body, other state governments, or the federal government, other than the University of Hawaii bookstores;
- (4) Permanent settlements, subsidies, or other claims that must be paid by law;
- (5) Contracts for expert witnesses for potential and actual litigation of legal matters involving the State, its agencies, and its officers and employees, including administrative quasi-judicial proceedings;
- (6) Works of art for museum and public display;
- (7) Published books, maps, periodicals, and technical pamphlets;
- (8) Meats and foodstuffs for the Kalaupapa settlement; and
- (9) Goods purchased by the State for commercial resale to the public.

Nothing in this chapter or rules adopted hereunder shall prevent any governmental body from complying with the terms and conditions of any grant, gift, bequest, or cooperative agreement.

(c) Unless other laws expressly exempt a governmental body from the requirements of this chapter or any of its provisions, this chapter and all rules adopted by the policy office pursuant to section 103D-211 shall apply to all governmental bodies of this State; except that any county may rely on other provisions established by charter, ordinance, or rules adopted in accordance with chapter 91 provided that those provisions are consistent with the requirement² of this chapter.] This chapter shall apply to all procurement contracts made by governmental bodies whether the consideration for the contract is cash, revenues, realizations, receipts, or earnings, any of which the State receives or is owed; in-kind benefits; or forbearance; provided that nothing in this chapter or rules adopted hereunder shall prevent any governmental body from complying with the terms and conditions of any other grant, gift, bequest, or cooperative agreement.

(b) Notwithstanding subsection (a), this chapter shall not apply to contracts by governmental bodies:

- (1) Solicited or entered into before the effective date of this chapter, unless the parties agree to its application to a contract solicited or entered into prior to the effective date;
- (2) To disburse funds, irrespective of their source:

- (A) For grants, subsidies, or purchases of services as those terms are defined in section 42D-1, made in accordance with standards provided by law as required by article VII, section 4, of the State Constitution; or by the counties pursuant to their respective charters or ordinances;
 - (B) To make payments to or on behalf of public officers and employees for salaries, fringe benefits, professional fees, or reimbursements;
 - (C) To satisfy obligations which the State is required to pay by law, including paying fees, permanent settlements, subsidies, or other claims, making refunds, and returning funds held by the State as trustee, custodian, or bailee;
 - (D) For entitlement programs, including public assistance, unemployment, and workers compensation programs, established by state or federal law;
 - (E) For dues and fees of organizations of which the State or its officers and employees are members, including the National Association of Governors, the National Association of State and County Governments, and the Multi-State Tax Commission;
 - (F) For deposit, investment, or safekeeping, including expenses related to their deposit, investment, or safekeeping;
 - (G) To governmental bodies of the State; and
 - (H) As loans, under loan programs administered by a governmental body;
- (3) To procure goods, services, or construction from a governmental body other than the University of Hawaii bookstores, from the federal government, or from another state or its political subdivision;
- (4) Procurement of goods or services, including the following:
- (A) Services of expert witnesses for potential and actual litigation of legal matters involving the State, its agencies, and its officers and employees, including administrative quasi-judicial proceedings;
 - (B) Works of art for museum or public display;
 - (C) Research and reference materials including books, maps, periodicals, and pamphlets, which are published in print, video, audio, magnetic, or electronic form;
 - (D) Meats and foodstuffs for the Kalaupapa settlement;
 - (E) Opponents for athletic contests;
 - (F) Utility services whose rates or prices are fixed by regulatory processes or agencies;
 - (G) Performances, including entertainment, speeches, and cultural and artistic presentations;
 - (H) Goods and services for commercial resale by the State; and
 - (I) Services of printers, rating agencies, support facilities, fiscal and paying agents, and registrars for the issuance and sale of the State's or counties' bonds;
- which the policy office determines by rule or the chief procurement officer determines in writing is available from multiple sources but for which procurement by competitive means is either not practicable or not advantageous to the State; and
- (5) Made by governmental bodies, or specific procurements which are expressly exempt from any or all of the requirements of this chapter by:
- (A) References in state or federal law to provisions of this chapter or a section of this chapter, or references to a particular requirement of this chapter;

(B) Trade agreements, including the Uruguay Round General Agreement on Tariffs and Trade (GATT) which require certain non-construction and non-software development procurements by the comptroller to be conducted in accordance with its terms.

(c) Governmental bodies making procurements which are exempt from this chapter are nevertheless encouraged to adopt and use provisions of this chapter and its implementing rules as appropriate; provided that the use of one or more provisions shall not constitute a waiver of the exemption conferred and subject the procurement or the governmental body to any other provision of this chapter.”

SECTION 4. Section 103D-105, Hawaii Revised Statutes, is amended to read as follows:

“[**§103D-105**] **Public access to procurement information.** [Procurement information] Government records relating to procurement shall be available to the public as provided in chapter 92F. [The policy office shall adopt rules governing requests for confidentiality made by a bidder or offeror to prevent the unwarranted disclosure of trade secrets or proprietary information.] Part I of chapter 92 shall not apply to discussions, deliberations, or decisions required to be conducted or made confidentially under this chapter.”

SECTION 5. Section 103D-204, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

“(d) The procurement office shall be [part of the office of the comptroller but the administrator shall operate independent² of the comptroller and shall have final authority over all procurement operations.] assigned for administrative purposes to the department of accounting and general services; provided that the administrator shall operate independently of the comptroller. The administrator may appoint and dismiss a private secretary without regard to chapter 76 or 77, who shall serve at the administrator’s pleasure. The comptroller shall provide [appropriate] support to permit the administrator to satisfy all of the administrator’s responsibilities as the chief procurement officer[,] for those governmental bodies of the executive branch of the State for which a chief procurement officer is not otherwise designated.”

SECTION 6. Section 103D-209, Hawaii Revised Statutes, is amended to read as follows:

“[**§103D-209**] **Authority to contract for certain services.** [(a) For the purpose of procuring professional services,] Except as provided in section 28- with respect to agencies of the State of Hawaii, any governmental body of this State may act as a purchasing agency and contract on its own behalf [for such service²] for professional services subject to this chapter and rules adopted by the policy office. The purchasing agency [shall] may consult with the chief procurement officer or the officer’s designee when procuring these services.

[(b) No department of the State, other than the attorney general, shall make any expenditure of public funds for the employment or retention by contract or otherwise of any attorney for the purpose of representing the State or such department in any litigation, rendering legal counsel to the department, or drafting legal documents for the department; provided that the foregoing provision shall not apply:

- (1) To the housing finance and development corporation, the public utilities commission, or the labor and industrial relations appeals board;
- (2) To any court or judicial or legislative officer of the State;

- (3) To the legislative reference bureau;
- (4) To such compilation commission as may be constituted from time to time;
- (5) To the real estate commission in any action involving the real estate recovery fund, the contractors license board in any action involving the contractors recovery fund, and the trustees in any action involving the travel agency recovery fund;
- (6) To grand jury counsel;
- (7) To the office of Hawaiian affairs;
- (8) To the department of commerce and consumer affairs; provided that its attorney shall be responsible for the prosecution of consumer complaints;
- (9) To the employees' retirement system;
- (10) To the Hawaiian home lands trust individual claims review panel;
- (11) To all community hospitals and the division of community hospitals for any attorney contracted by the hospitals through the attorney general; or
- (12) In the event the attorney general, for reasons deemed by the attorney general good and sufficient, declines representation or counsel, or approves a department's expenditures; provided that the governor thereupon waives the provision of this section.

For the purpose of this section the term "department of the State" means any department, board, commission, agency, bureau, or officer of the State.

Every attorney employed by any department on a full-time basis, except an attorney employed as a grand jury counsel, the department of commerce and consumer affairs in prosecution of consumer complaints, or the Hawaiian home lands trust individual claims review panel, shall become a deputy attorney general.]”

SECTION 7. Section 103D-302, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) An invitation for bids shall be issued,¹ and shall include a purchase description and all contractual terms and conditions applicable to the procurement. If the invitation for bids is for construction, it shall specify that all bids include the name of each person or firm to be engaged by the bidder as a joint contractor or subcontractor in the performance of the contract and the nature and scope of the work to be performed by each. Construction bids that do not comply with this requirement may be accepted if [the chief procurement officer or rules of the policy office conclude that] acceptance is in the best interest of the [public] State and the value of the work to be performed by the joint contractor or subcontractor is equal to or less than one per cent of the total bid amount.”

SECTION 8. Section 103D-303, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) [When, under rules adopted pursuant to this chapter, the chief procurement officer, the head of a purchasing agency, or a designee of either officer above the level of procurement officer determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous, a contract may be entered into by competitive sealed proposals.] Competitive sealed proposals may be utilized [for the procurement of specified types of] to procure goods, services, or construction [without necessity for the written determination otherwise required by this subsection if the policy office provides by rule that it is] designated in rules

adopted by the procurement policy office as goods, services, or construction which are either not practicable or not advantageous to the State to procure [the specified types of goods, services, or construction] by competitive sealed bidding. [The policy office shall adopt rules pertaining to the acquisition of such services through the use of competitive sealed proposals.] Competitive sealed proposals may also be utilized when the head of a purchasing agency determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the State.”

SECTION 9. Section 103D-303, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

“(f) [As provided in the request for proposals, and under rules adopted by the policy office, discussions] Discussions may be conducted with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of any information derived from proposals submitted by competing offerors.”

SECTION 10. Section 103D-304, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§103D-304]]~~ **Procurement of professional services.** (a) [Except as authorized under sections 103D-305, 103D-306, and 103D-307, professional services shall be procured in accordance with section 103D-303, unless:

- (1) The purchasing agency secures the approval of the chief procurement officer to utilize the procedures set out in subsection (e) through (g) before proceeding with the procurement; or
- (2) The head of the purchasing agency determines in writing that subsections (e) through (g) must be used because all of the provisions of section 103D-303 cannot be satisfied within the time available to complete the procurement because of the urgency of the need to procure such services.

The chief procurement officer shall have ten days after receiving the request of the purchasing agency under paragraph (1) to act upon the request; if a determination is not made within that period, the purchasing agency may proceed with the procurement. The chief procurement officer’s determination shall be based upon criteria established by rules of the policy office.] Professional services shall be procured in accordance with sections 103D-302, 103D-303, 103D-305, 103D-306, or 103D-307, or this section. Contracts for professional services shall be awarded on the basis of demonstrated competence and qualification for the type of services required, and at fair and reasonable prices.

(b) [All requirements for professional services shall be publicly announced and contracts for such services shall be awarded on the basis of demonstrated competence and qualification for the type of services required, and at fair and reasonable prices.

(c) At least once annually, the chief procurement officer] At a minimum, before the beginning of each fiscal year, the head of each purchasing agency shall [give written public notice to invite] publish a notice inviting persons engaged in providing professional services which the agency anticipates needing in the next

fiscal year, to submit current statements of qualifications and expressions of interest to the [head of each purchasing agency requiring such services.] agency. Additional notices may be given if: [the]

- (1) The response to the initial notice is inadequate [or];
- (2) The response to the initial notice does not result in adequate representation of available sources[.]; or
- (3) Previously unanticipated needs for professional services arise.

The chief procurement officer may specify a uniform format for statements of qualifications. Persons may amend these statements by filing a new statement prior to the date designated for submission.

[(d) At least annually, the head of each purchasing agency shall form an initial] (c) The head of the purchasing agency shall designate a review committee consisting of a minimum of three employees from the agency or from another governmental body, with sufficient education, training, and licenses or credentials for each type of professional service which may be required. The committee shall review and evaluate all submissions and other pertinent information, including references and reports, and prepare a list of qualified persons to provide [such] these services. Persons included on the list of qualified persons may amend their statements of qualifications as necessary or appropriate. Persons shall immediately inform the head of the purchasing agency of any change in information furnished which would disqualify the person from being considered for a contract award.

[(e) Contracts for professional services of \$10,000 or more shall be awarded only after] (d) Whenever during the course of the fiscal year the agency needs a particular professional service, the head of the purchasing agency shall designate a screening committee [evaluates] to evaluate the statements of qualification and performance data of those persons on the list prepared pursuant to subsection [(d)] (c) along with any other pertinent information, including references and reports. The screening committee shall be comprised of a minimum of three employees of the purchasing agency [for the particular project] with sufficient education, training, and licenses or credentials in the area of the services required. If the purchasing agency and using agency are different, the committee shall include at least one qualified employee from the using agency. [The committee shall be designated by the head of the purchasing agency and, if appropriate,] When the committee includes an employee from a using agency, the employee shall be appointed by the head of the using agency. If qualified employees are not available from these agencies, the officers may designate employees of other governmental bodies. [Unless fewer than three submissions have been received, the screening committee shall conduct discussions with at least three persons regarding the services which are required and the services they are able to provide. The screening committee shall evaluate each submission based on criteria established and published by the screening committee for the particular project.] The screening committee shall establish criteria for the selection, and evaluate the submissions of persons on the list prepared pursuant to subsection (c) and any other pertinent information which may be available to the agency, against that selection criteria. The committee may conduct confidential discussions with any person who is included on the list prepared pursuant to subsection (c) regarding the services which are required and the services they are able to provide. In conducting discussions, there shall be no disclosure of any information derived from proposals submitted by competing offerors. The committee shall provide the head of the purchasing agency with the names of the three persons who the committee concludes [is] are the most qualified to provide the services required [for the project], with a summary of each of their qualifications. The contract file shall contain a copy of the criteria established for the selection and the committee's summary of qualifications for each of the persons provided to the head of the purchasing agency by the committee.

[(f) (e) The head of the purchasing agency shall evaluate the summary of qualifications for each of the three persons provided by the screening committee and may conduct additional discussions with any of them. The head of the purchasing agency shall then rank the three persons in order of preference. The [procurement officer] head of the purchasing agency [requiring the services] shall negotiate a contract with the first [ranked] person, including a rate of compensation which is fair and reasonable, established in writing, and based upon the estimated value, scope, complexity, and nature of the services to be rendered. If [the procurement officer is unable to negotiate] a satisfactory contract cannot be negotiated with the first [ranked] person, negotiations with that person shall be formally terminated[. The procurement officer shall then undertake] and negotiations with the second person on the list[.] shall commence. Failing accord with the second person, [the procurement officer shall formally terminate negotiations. The procurement officer shall then undertake] negotiations with the last person on the list[.] shall commence. If [the procurement officer is unable to negotiate] a contract at a fair and reasonable price[, the procurement officer may request that] cannot be negotiated, the screening committee may be asked to submit the names of three additional persons for the head of the purchasing agency to rank, and resume negotiations in the same manner provided in this subsection. Negotiations shall be conducted confidentially.

[(g) (f) Contracts for professional services of less than \$10,000 may be negotiated by [a procurement officer] the head of a purchasing agency, with any two persons who appear on the list of qualified persons established pursuant to subsection [(d.)] (c). Negotiations shall be conducted in the manner set forth in subsection [(f) and the officer may determine the order in which negotiations are held.] (e) but without establishing any order of preference.

[(h) If professional services are procured pursuant to subsection (a)(2), within five working days after the vendor is selected, the head of the purchasing agency shall transmit a written report to the chief procurement officer detailing the bases for the determination that sufficient time was not available to procure the services in accordance with all of the requirements of section 103D-303. If the chief procurement officer determines in accordance with criteria established by the rules of the policy office that sufficient time was available to procure the services in accordance with all of the requirements of section 103D-303, the contract shall be terminated in accordance with section 103D-707.]”

SECTION 11. Section 103D-305, Hawaii Revised Statutes, is amended to read as follows:

“§103D-305² Small purchases[. Any procurement]; prohibition against parceling. Procurements of:

- (1) Less than \$10,000 for goods or services; or
- (2) Less than \$25,000 for construction;

[may] shall be made in accordance with procedures set forth in rules adopted by the policy office that are designed to ensure administrative simplicity and as much competition as is practicable; provided that multiple expenditures shall not be created at the inception of a transaction or project so as to evade the requirements of this chapter; and provided further that procurement requirements shall not be artificially divided or parceled so as to constitute a small purchase under this section.”

SECTION 12. Section 103D-306, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§103D-306]]~~ **Sole source procurement.** (a) A contract may be awarded for goods, services, or construction without competition when[, under rules adopted by the policy office, the chief procurement officer,] the head of a purchasing agency[, or a designee of either] determines in writing that there is only one source for the required good, service, or construction[. A contract may be awarded under this section only after the chief procurement officer has approved the sole source procurement in writing.], the determination is reviewed and approved by the chief procurement officer, the written determination is posted in the manner described in rules adopted by the policy board, and no objection is outstanding. The written determination, any objection, and a written summary of the disposition of any objection shall be included in the contract file.

(b) [The policy office shall adopt rules requiring the chief procurement officer and the purchasing agency to post, in an area accessible to the public, a notice of intent to issue a sole source contract. The rules shall provide for the posting of the notice sufficiently in advance of the issuance of the contract to allow a reasonable opportunity for objections to be filed, and shall specify the contents of the notice, including but not limited to the name of the party to be awarded the contract, the date on which the contract is to be issued, a statement indicating that any person may file written objections to the issuance of the contract, the name and address of the person or agency with whom the objections are to be filed, and the date by which the objections are to be filed. The rules shall² provide procedures for the disposition of objections.

(c) A purchasing agency shall submit a written request limited to evidence supporting the request for a sole source determination. The chief procurement officer may require the submission of cost or pricing data in connection with an award proposed under this section.

(d) The chief procurement officer may approve the cost or pricing data, or may negotiate with the sole source vendor for price, terms, and conditions that are in the State’s best interest.] The written determination shall contain such information as the rules of the policy board require. Persons may file written objections to the issuance of a contract pursuant to this section. Rules of the policy board shall provide for the disposition of objections, including a written summary of the disposition.

(c) The rules of the policy office shall include a non-exhaustive list of procurements which constitute sole source procurements and criteria for determining when a particular procurement may be determined to be a sole source. The rules shall also prescribe when cost or pricing data must be considered and how they are to be used in establishing the price, terms, and conditions, if any, for a contract awarded pursuant to this section.”

SECTION 13. Section 103D-309, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) No contract awarded pursuant to section 103D-302, 103D-303, or 103D-306, shall be binding or of any force and effect unless the comptroller, the director of finance of a county, or the respective chief financial [officer] officers of the University of Hawaii, [or] the department of education, the judiciary, or the legislative branches of the State or county, as the case may be, endorses thereon a certificate that there is an appropriation or balance of an appropriation over and above all outstanding contracts, sufficient to cover the amount required by the contract; provided that if the contract is a multi-term contract, the comptroller, director of finance, or chief financial officer shall only be required to certify that there is an appropriation or balance of an appropriation over and above all outstanding contracts, that is sufficient to cover the amount required to be paid under the

contract during the fiscal year or remaining portion of the fiscal year of each term of the multi-year contract; provided further that this section shall not apply to any contract under which the total amount to be paid to the contractor cannot be accurately estimated at the time the contract is to be awarded[.], or to any contract for which consideration is in kind or forbearance.”

SECTION 14. Section 103D-321, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The chief procurement officer shall maintain a record of all [contracts] procurements made under sections 103D-102(b)(4), 103D-304, 103D-306,¹ and 103D-307 for a minimum of five years. The record shall contain:

- (1) Each contractor’s name;
- (2) The amount and type of each contract; and
- (3) A listing of the goods, services, or construction procured under each contract.”

SECTION 15. Section 103D-214, Hawaii Revised Statutes, is repealed.

SECTION 16. Act 188, Session Laws of Hawaii 1994, is amended by amending section 7 to read as follows:

“SECTION 7. This Act shall take effect on July 2, 1994[, and shall be repealed on June 30, 1996; provided section 103D-209, Hawaii Revised Statutes, shall be reenacted in the form² which it reads² on July 1, 1994.]; provided that section 2 shall be repealed on June 30, 1995, and the remaining sections of this Act shall be repealed on June 30, 1996.”

SECTION 17. Statutory material to be repealed is bracketed. New statutory material is underscored.³

SECTION 18. This Act shall take effect on July 1, 1995.

(Approved June 14, 1995.)

Notes

1. Should be underscored.
2. So in original.
3. Edited pursuant to HRS §23G-16.5.