

ACT 3

H.B. NO. 652

A Bill for an Act Relating to Statutory Revision: Amending, Reenacting, or Repealing Various Provisions of the Hawaii Revised Statutes and the Session Laws of Hawaii for the Purpose of Correcting Errors and References, Clarifying Language, and Deleting Obsolete or Unnecessary Provisions.

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

SECTION 1. Section 46-11, Hawaii Revised Statutes, is amended to read as follows:

“§46-11 Federal flood insurance. The [~~convention-center-authority~~] Hawaii tourism authority in regard to the convention center district and the mayor or

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executive officer and the council of the various counties, in regard to the respective counties, may participate and apply on behalf of their respective district and counties for flood insurance coverage pursuant to any applicable provisions of Public Law 1016, Eighty-fourth Congress, Second Session, (70 Stat. 1078). The [~~convention center authority;~~] Hawaii tourism authority, in regard to the convention center district, and the mayor or executive officer and the council of the various counties, in regard to the respective counties, shall be vested with the functions, powers, and duties which are necessary to enable their respective district and counties to qualify, participate, and apply for the flood insurance coverage.”

SECTION 2. Section 89-13, Hawaii Revised Statutes, is amended to read as follows:

“§89-13 Prohibited practices; evidence of bad faith. (a) It shall be a prohibited practice for a public employer or its designated representative wilfully to:

- (1) Interfere, restrain, or coerce any employee in the exercise of any right guaranteed under this chapter;
- (2) Dominate, interfere, or assist in the formation, existence, or administration of any employee organization;
- (3) Discriminate in regard to hiring, tenure, or any term or condition of employment to encourage or discourage membership in any employee organization;
- (4) Discharge or otherwise discriminate against an employee because the employee has signed or filed an affidavit, petition, or complaint or given any information or testimony under this chapter, or because the employee has informed, joined, or chosen to be represented by any employee organization;
- (5) Refuse to bargain collectively in good faith with the exclusive representative as required in section 89-9;
- (6) Refuse to participate in good faith in the mediation[~~, fact-finding;~~] and arbitration procedures set forth in section 89-11;
- (7) Refuse or fail to comply with any provision of this chapter;
- (8) Violate the terms of a collective bargaining agreement;
- (9) [~~To replace~~] Replace any nonessential employee for participating in a labor dispute; or
- (10) [~~To give~~] Give employment preference to an individual employed during a labor dispute and whose employment termination date occurs after the end of the dispute, over an employee who exercised the right to join, assist, or engage in lawful collective bargaining or mutual aid or protection through the labor organization involved in the dispute.

(b) It shall be a prohibited practice for a public employee or for an employee organization or its designated agent wilfully to:

- (1) Interfere, restrain, or coerce any employee in the exercise of any right guaranteed under this chapter;
- (2) Refuse to bargain collectively in good faith with the public employer, if it is an exclusive representative, as required in section 89-9;
- (3) Refuse to participate in good faith in the mediation[~~, fact-finding~~] and arbitration procedures set forth in section 89-11;
- (4) Refuse or fail to comply with any provision of this chapter; or
- (5) Violate the terms of a collective bargaining agreement.”

SECTION 3. Section 201B-2, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

“(f) The board shall appoint an executive director, exempt from chapters 76 and [88,] 78, who shall oversee the authority staff; provided that the compensation package, including salary, shall not exceed fifteen per cent of the 3.5 per cent authorized for administrative expenses under section 201B-11(c); and provided further that the compensation package shall not include private sector moneys or other contributions. The board shall set the executive director’s duties, responsibilities, holidays, vacations, leaves, hours of work, and working conditions. It may grant such other benefits as it deems necessary.”

SECTION 4. Section 201B-3, Hawaii Revised Statutes, is amended by amending subsections (b) and (c) to read as follows:

“(b) The [{}authority{}] shall be responsible for:

- (1) Promoting, marketing, and developing the tourism industry in the State;
- (2) Arranging for the conduct of research through contractual services with the University of Hawaii or any agency or other qualified persons concerning social, economic, and environmental aspects of tourism development in the State;
- (3) Providing technical or other assistance to agencies and private industry upon request;
- (4) Developing and implementing the state tourism marketing plan; and
- (5) Reviewing annually the expenditure of public funds by any visitor industry organization with which the [{}authority{}] contracts to perform tourism promotion, marketing, and development and making recommendations necessary to ensure the effective use of the funds for the development of tourism. The [{}authority{}] shall also prepare annually a report of expenditures, including descriptions and evaluations of programs funded, together with any recommendations the [{}authority{}] may make and shall submit the report to the governor and the legislature as part of the annual report required under section 201B-16.

(c) The [{}authority{}] shall do any and all things necessary to carry out its purposes, to exercise the powers and responsibilities given in this chapter, and to perform other functions required or authorized by law.”

SECTION 5. Section 201G-152, Hawaii Revised Statutes, is amended to read as follows:

“**§201G-152 Resident selection: dwelling accommodations; rentals.** In the administration of elder or elderly housing, the corporation shall observe the following with regard to resident selection, dwelling accommodations, and rentals:

- (1) Except as hereinafter provided, it shall accept elder or elderly households as residents in the housing projects;
- (2) It may accept [{}as{}] residents in any housing unit one or more persons, related or unrelated by marriage. It may also accept as a resident in any dwelling accommodation or in any project, in the case of illness or other disability of an elder who is a resident in the dwelling accommodation or in the project, a person designated by the elder as the elder’s live-in aide whose qualifications as a live-in aide are verified by the corporation, although the person is not an elder; provided that the person shall cease to be a resident therein upon the recovery of, or removal from the project of, the elder;
- (3) It may rent or lease to an elder a dwelling accommodation consisting of any number of rooms as the corporation deems necessary or advisable

to provide safe and sanitary accommodations to the proposed resident or residents without overcrowding; and

- (4) Notwithstanding that the elder has no written rental agreement or that it has expired, so long as the elder continues to tender the usual rent to the corporation or proceeds to tender receipts for rent lawfully withheld, no action or proceeding to recover possession of the dwelling unit may be maintained against the elder, nor shall the corporation otherwise cause the elder to quit the dwelling unit involuntarily, demand an increase in rent from the elder, or decrease the services to which the elder has been entitled during hospitalization of the elder due to illness or other disability.”

SECTION 6. Section 226-2, Hawaii Revised Statutes, is amended by deleting the definition of “policy council”.

[~~““Policy council” means the council established in section 226-53.”~~]

SECTION 7. Section 245-3, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The taxes, however, are subject to the following limitations:

- (1) The measure of the taxes shall not include any cigarettes or tobacco products exempted, and so long as the same are exempted, from the imposition of taxes by the Constitution or laws of the United States;
- (2) The measure of taxes shall exempt and exclude all sales of cigarettes and tobacco products to the United States (including any agency or instrumentality thereof that is wholly owned or otherwise so constituted as to be immune from the levy of a tax under this chapter), sold by any person licensed under this chapter; and
- (3) The taxes shall be paid only once with respect to the same cigarettes or tobacco product. This limitation shall not prohibit the imposition of the excise tax on receipts from sales of tobacco products under subsection [(a)(5)](5); provided that the amount subject to the tax on each sale shall not include amounts previously taxed under this chapter.”

SECTION 8. Section 281-17, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The liquor commission, within its own county, shall have the sole jurisdiction, power, authority, and discretion, subject only to this chapter:

- (1) To grant, refuse, suspend, and revoke any licenses for the manufacture, importation, and sale of liquors;
- (2) To take appropriate action against a person who, directly or indirectly, manufactures or sells any liquor without being authorized pursuant to this chapter; provided that in counties which have established by charter a liquor control adjudication board, the board shall have the jurisdiction, power, authority, and discretion to hear and determine administrative complaints of the director regarding violations of the liquor laws of the State or of the rules of the liquor commission, and impose penalties for violations thereof as may be provided by law;
- (3) To control, supervise, and regulate the manufacture, importation, and sale of liquors by investigation, enforcement, and education; provided that any educational program shall be limited to licensees and their employees and shall be financed through the money collected from the assessment of fines against licensees;
- (4) From time to time to make, amend, and repeal such rules, not inconsistent with this chapter, as in the judgment of the commission seem

- appropriate for carrying out this chapter and for the efficient administration thereof, and the proper conduct of the business of all licensees, including every matter or thing required to be done or which may be done with the approval or consent or by order or under the direction or supervision of or as prescribed by the commission; which rules, when adopted as provided in chapter 91 shall have the force and effect of law;
- (5) Subject to chapter 76, to appoint and remove an administrator, who may also be appointed an investigator and who shall be responsible for the operations and activities of the staff. The administrator may hire and remove hearing officers, investigators, and clerical or other assistants as its business may from time to time require, to prescribe their duties, and fix their compensation; to engage the services of experts and persons engaged in the practice of a profession, if deemed expedient. Every investigator, within the scope of the investigator's duties, shall have the powers of a police officer;
 - (6) To limit the number of licenses of any class or kind within the county, or the number of licenses of any class or kind to do business in any given locality, when in the judgment of the commission such limitations are in the public interest;
 - (7) To prescribe the nature of the proof to be furnished, the notices to be given, and the conditions to be met or observed in case of the issuance of a duplicate license in place of one alleged to have been lost or destroyed, including a requirement of any indemnity deemed appropriate to the case;
 - (8) To fix the hours between which licensed premises of any class or classes may regularly be open for the transaction of business, which shall be uniform throughout the county as to each class respectively;
 - (9) To prescribe all forms to be used for the purposes of this chapter not otherwise provided for in this chapter, and the character and manner of keeping of books, records, and accounts to be kept by licensees in any matter pertaining to their business;
 - (10) To investigate violations of this chapter, chapter 244D and, notwithstanding any law to the contrary, violations of the applicable department of health's allowable noise levels, through its investigators or otherwise, to include covert operations, and to report violations to the prosecuting officer for prosecution and, where appropriate, the director of taxation to hear and determine complaints against any licensee;
 - (11) To prescribe, by rule, the terms, conditions, and circumstances under which persons or any class of persons may be employed by holders of licenses;
 - (12) To prescribe, by rule, the term of any license [{}or{}] solicitor's and representative's permit authorized by this chapter, the annual or prorated amount, the manner of payment of fees for the licenses and permits, and the amount of filing fees; and
 - (13) To prescribe, by rule, the circumstances and penalty for the unauthorized manufacturing or selling of any liquor."

SECTION 9. Section 286-41, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

"(d) The owner of every motor vehicle of the current, previous, and subsequent year model bought out-of-state, subsequently brought into the State, and subject to the use tax under chapter 238 shall provide with the application for registration proof of payment of the use tax pursuant to requirements established by

the department of taxation. No registration certificate shall be issued without proof of payment of the use tax.”

SECTION 10. Section 291E-44, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

- “(a) (1) During the administrative hearing, the director, at the request of a respondent who is subject to administrative revocation for a period as provided in section 291E-41(b)(1), may issue a conditional license permit that will allow the respondent, after a minimum period of absolute license revocation of thirty days, to drive for the remainder of the revocation period; provided that one or more of the following conditions are met:
- [(1)] (A) The respondent is gainfully employed in a position that requires driving and will be discharged if the respondent’s driving privileges are administratively revoked; or
 - [(2)] (B) The respondent has no access to alternative transportation and therefore must drive to work or to a substance abuse treatment facility or counselor for treatment ordered by the director under section 291E-41.
- (2) Notwithstanding any other law to the contrary, the director shall not issue a conditional license permit to:
- [(1)] (A) A respondent whose license, during the conditional license permit period, is expired or is suspended or revoked as a result of action other than the instant revocation for which the respondent is requesting a conditional license permit under this section; or
 - [(2)] (B) A respondent who has refused breath, blood, or urine tests for purposes of determining alcohol concentration or drug content of the person’s breath, blood, or urine, as applicable.”

SECTION 11. Section 302A-803, Hawaii Revised Statutes, is amended to read as follows:

“§302A-803 Powers and duties of the board. In addition to establishing standards for the issuance and renewal of licenses and any other powers and duties authorized by law, the board’s powers shall also include:

- (1) Setting and administering its own budget;
- (2) Adopting, amending, repealing, or suspending the policies, standards, or rules of the board in accordance with chapter 91;
- (3) Receiving grants or donations from private foundations, and state and federal funds;
- (4) Submitting an annual report to the governor and the legislature on the board’s operations and from the 2007-2008 school year, submitting a summary report every five years of the board’s accomplishment of objectives, efforts to improve or maintain teacher quality, and efforts to keep its operations responsive and efficient;
- (5) Conducting a cyclical review of standards and suggesting revisions for their improvement;
- (6) Establishing licensing fees in accordance with chapter 91, including the collection of fees by means of mandatory payroll deductions, which shall subsequently be deposited into the state treasury and credited to the Hawaii teacher standards board [revolving] special fund;
- (7) Establishing penalties in accordance with chapter 91;
- (8) Issuing, renewing, revoking, suspending, and reinstating licenses;

- (9) Reviewing reports from the department on individuals hired on an emergency basis;
- (10) Applying licensing standards on a case-by-case basis and conducting licensing evaluations;
- (11) Preparing and disseminating teacher licensing information to schools and operational personnel;
- (12) Approving teacher preparation programs;
- (13) Administering reciprocity agreements with other states relative to licensing;
- (14) Conducting research and development on teacher licensure systems, beginning teacher programs, the assessment of teaching skills, and other related topics;
- (15) Participating in efforts relating to teacher quality issues, conducting professional development related to the board's standards, and promotion of high teacher standards and accomplished teaching; and
- (16) Adopting applicable rules and procedures."

SECTION 12. Section 302A-807, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

"(e) The board shall not renew or reinstate, or shall deny, suspend, or revoke, any license[~~-, credential,~~] or application, if the board has received certification from an administering entity pursuant to chapter 436C that the licensee or applicant is in default or breach of any obligation under any student loan, student loan repayment contract, or scholarship contract, or has failed to comply with a repayment plan. Unless otherwise provided by law, the board shall renew, reinstate, or grant the license [~~or credential~~] only upon receipt of an authorization from the administering entity."

SECTION 13. Section 302A-808, Hawaii Revised Statutes, is amended to read as follows:

"**§302A-808 Penalty.** Any person who engages in the profession of teaching in a public school without first being issued a license or hired on an emergency basis as defined in this chapter shall be fined not more than \$500. Any person who knowingly or intentionally violates this subpart by employing an individual as a public school teacher who does not possess a valid license or is not a department of education emergency hire as defined in this chapter may be fined not more than \$500. All fines shall be deposited into the Hawaii teacher standards board [revolving] special fund."

SECTION 14. Section 431:13-104, Hawaii Revised Statutes, is amended to read as follows:

"**§431:13-104 Favored producer or insurer; coercion of debtors.** (a) No person may require as a condition precedent to the lending of money or extension of credit, or any renewal thereof, that the person to whom such money or credit is extended or whose obligation a creditor is to acquire or finance, negotiate any contract of insurance, or renewal thereof, through a particular insurer or group of insurers or producer or group of producers.

(b) No person who lends money or extends credit may:

- (1) Solicit insurance, after a person indicates interest in securing a loan or credit extension, until such person has received a commitment in writing from the lender as to a loan or credit extension. The requirement for a commitment shall not apply in cases where the premium for

the required insurance is to be financed as part of the loan or extension of credit involving personal property transactions;

- (2) Unreasonably reject a contract of insurance furnished by the borrower where insurance is required by the loan or credit transaction. A rejection shall not be deemed unreasonable if it is based on reasonable standards, uniformly applied, relating to the extent of coverage required and the financial soundness and the services of an insurer. Such standards shall not discriminate against any particular type of insurer, nor shall such standards call for rejection of an insurance contract because the contract contains coverage in addition to that required in the loan or credit transaction;
- (3) Require that any borrower, mortgagor, purchaser, insurer, or producer pay a separate charge, in connection with the handling of any contract of insurance required by the loan or credit transaction, or pay a separate charge to substitute the insurance policy of one insurer for that of another. This paragraph does not include the interest which may be charged on premium loans or premium advancements in accordance with the terms of the loan or credit document;
- (4) Use or disclose information relative to a contract of insurance which is required by, or supplied in response to, the loan or credit transaction, for the purpose of replacing the insurance or soliciting insurance;
- (5) Require any procedures or conditions of duly licensed producers or insurers not customarily required of those producers or insurers affiliated or in any way connected with the person who lends money or extends credit.

(c) Every person who lends money or extends credit and who solicits insurance subject to subsection (b) must explain to the borrower in writing that the insurance related to such credit extension may be purchased from an insurer or producer of the borrower's choice, subject only to the lender's right to reject a given insurer or producer as provided in subsection (b)(2). Compliance with disclosures as to insurance required by truth-in-lending laws or comparable state laws shall be in compliance with this paragraph.

(d) The commissioner shall have the power to examine and investigate those insurance related activities of any person whom the commissioner believes may be in violation of this section. Any affected person may submit to the commissioner a complaint or material pertinent to the enforcement of this section.

(e) Nothing in this section shall prevent a person who lends money or extends credit from placing insurance on real or personal property in the event the mortgagor, borrower, or purchaser has failed to provide required insurance in accordance with the terms of the loan or credit document.

(f) Nothing contained in this section shall apply to credit life or credit disability insurance.

(g) Nothing in this section shall prevent a person who lends money or extends credit from assisting a mortgagor, borrower, or purchaser in obtaining homeowners insurance where the borrower requests such assistance in writing. Nothing in this section shall prevent a person who lends money or extends credit from referring a mortgagor, borrower, or purchaser to the Hawaii hurricane relief fund.

(h) The commissioner shall adopt rules to prevent any bank, or subsidiary or affiliate thereof, which is engaged in insurance activities, from draining assets to the detriment of the insurance operations; and shall also adopt rules to obtain diverted assets from the bank, subsidiary, or affiliate in the case of insolvency of the insurance operation."

SECTION 15. Section 444-23.5, Hawaii Revised Statutes, is amended by amending subsection (m) to read as follows:

“(m) All proceeds of a forfeiture action conducted pursuant to this section, after payment of expenses of administration and sale, shall be deposited in the compliance resolution [special] fund established under section 26-9(o). Moneys in the fund shall be appropriated for the payment of any expenses necessary to seize, detain, appraise, inventory, safeguard, maintain, advertise, or sell property seized, detained, or forfeited pursuant to this section or any other necessary expenses incident to the seizure, detention, or forfeiture of such property.”

SECTION 16. Section 706-606.4, Hawaii Revised Statutes, is amended by amending subsection (2) to read as follows:

“(2) As used in this section:

“Family or household member” has the same meaning as defined in section 709-906.

“In the presence of a minor” means in the actual physical presence of a child or knowing that a child is present and may hear or see the offense.

“Offense” means a violation of section 707-710 (assault in the first degree), 707-711 (assault in the second degree), 707-730 (sexual assault in the first degree), 707-731 (sexual assault in the second degree), 707-732 (sexual assault in the third degree), or 709-906 (abuse of family [f]or [f] household members).”

SECTION 17. Section 708-890, Hawaii Revised Statutes, is amended by amending the definition of “access” to read as follows:

““Access” means to gain entry to, instruct, communicate with, store data in, [f]retrieve [f] data from, or otherwise make use of any resources of a computer, computer system, or computer network.”

SECTION 18. Section 201-62.5, Hawaii Revised Statutes, is repealed.

SECTION 19. Act 163, Session Laws of Hawaii 2001, is amended by amending section 6 to read as follows:

“SECTION 6. This Act shall take effect on July 1, 2001, provided that the amendments made to [sections] section 36-27, Hawaii Revised Statutes, by this Act shall not be repealed when that section is reenacted on July [1,] 31, 2003, by section 9 of Act 142, Sessions Laws of Hawaii 1998.”

SECTION 20. Act 39, Session Laws of Hawaii 2002, is amended by amending section 22 to read as follows:

“SECTION 22. This Act shall take effect on July 1, 2002[-]; provided that the amendments made to section 431:2-216(a), Hawaii Revised Statutes, by this Act shall not be repealed when that section is reenacted on June 30, 2003, pursuant to section 11 of Act 243, Session Laws of Hawaii 2000.”

SECTION 21. Act 72, Session Laws of Hawaii 2002, is amended by amending the prefatory language in section 8 to read as follows:

“SECTION 8. Section 576E-1, Hawaii Revised Statutes, is amended by repealing the definition of [~~“public assistance debt”.~~] [~~“debt”.~~”

SECTION 22. Act 74, Session Laws of Hawaii 2002, is amended by amending section 6 to read as follows:

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“SECTION 6. This Act shall take effect on January 1, 2003; provided that this Act shall be repealed on June 30, 2006[-]; and provided further that sections 432:1-102(b) and 432D-19(d), Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day before the effective date of this Act.”

SECTION 23. Act 77, Session Laws of Hawaii 2002, is amended by amending the prefatory language in section 2(1) to read as follows:

“SECTION 2. Chapter 486H, Hawaii Revised Statutes, is amended as follows:

1. By adding [~~three~~] four new sections to be appropriately designated and to read as follows:”

SECTION 24. Act 130, Session Laws of Hawaii 2002, is amended by amending section 19(1) to read as follows:

“SECTION 19. Section 414-126, Hawaii Revised Statutes, is amended as follows:

1. By amending its title to read:

“~~[[H]§414-124[HH]]~~ [[H]§414-126[H]] **Waiver of notice.**”

SECTION 25. Act 160, Session Laws of Hawaii 2002, is amended by amending section 15 to read as follows:

“SECTION 15. This Act shall take effect on July 1, 2002; provided that sections 5 through 11 shall take effect on January 1, 2003[-]; and provided further that the amendments made to section 36-27, Hawaii Revised Statutes, by this Act shall not be repealed when that section is reenacted on July 31, 2003, pursuant to section 9 of Act 142, Session Laws of Hawaii 1998.”

SECTION 26. Act 176, Session Laws of Hawaii 2002, is amended by amending the prefatory language in section 13 to read as follows:

“SECTION 13. Section 342G-86, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:”

SECTION 27. Act 192, Session Laws of Hawaii 2002, is amended by amending section 5 to read as follows:

“SECTION 5. This Act shall take effect on July 1, 2002, and shall be repealed on June 30, 2004, except that title 16, chapter 89C, Hawaii administrative rules, shall remain in effect until the board of nursing adopts rules pursuant to section 2 of this Act[-]; and provided that section 457-8.6, Hawaii Revised Statutes, shall be reenacted in the form in which it read on the day before the effective date of this Act.”

SECTION 28. Act 224, Session Laws of Hawaii 2002, is amended by amending the prefatory language in section 2 to read as follows:

“SECTION 2. Chapter 710, Hawaii Revised Statutes, is amended by adding to part V [~~three~~] two new sections to be appropriately designated and to read as follows:”

SECTION 29. Act 226, Session Laws of Hawaii 2002, is amended by amending the prefatory language in section 4 to read as follows:

“SECTION 4. [~~Chapter 302A,~~] Section 302A-807, Hawaii Revised Statutes, is amended to read as follows:”

SECTION 30. Act 226, Session Laws of Hawaii 2002, is amended by amending the prefatory language in section 5 to read as follows:

“SECTION 5. [~~Chapter~~] Section 321-15, Hawaii Revised Statutes, is amended to read as follows:”

SECTION 31. Act 226, Session Laws of Hawaii 2002, is amended by amending the prefatory language in section 8 to read as follows:

“SECTION 8. [~~Chapter~~] Section 466J-8, Hawaii Revised Statutes, is amended to read as follows:”

SECTION 32. Act 226, Session Laws of Hawaii 2002, is amended by amending the prefatory language in section 9 to read as follows:

“SECTION 9. [~~Chapter~~] Section 605-1, Hawaii Revised Statutes, is amended to read as follows:”

SECTION 33. Statutory material to be repealed is bracketed and stricken.¹ New statutory material is underscored.

SECTION 34. This Act shall take effect upon its approval; provided that:

- (1) Section 14 shall take effect retroactive to July 1, 2002;
- (2) Section 19 shall take effect retroactive to July 1, 2001;
- (3) Section 20 shall take effect retroactive to July 1, 2002;
- (4) Section 21 shall take effect retroactive to May 23, 2002;
- (5) Section 22 shall take effect retroactive to January 1, 2003;
- (6) Sections 24, 25, 26, and 27 shall take effect retroactive to July 1, 2002;
and
- (7) Sections 28, 29, 30, 31, and 32 shall take effect retroactive to June 28, 2002.

(Approved April 1, 2003.)

Note

1. Edited pursuant to HRS §23G-16.5.