
A BILL FOR AN ACT

RELATING TO CERTIFICATE OF NEED.

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

1 SECTION 1. Section 323D-44, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The state agency shall issue a decision on the
4 application within ninety days after the beginning of the period
5 for agency review, unless the state agency within the ninety
6 days notifies the applicant in writing that the period for
7 agency review has been extended by the state agency sixty days
8 beyond the ninety days[-]; provided that the state agency shall
9 issue a decision with no more than one public hearing and within
10 thirty days if the applicant is required to and has obtained:

11 (1) An approved environmental impact statement or a
12 finding of no significant impact from the office of
13 environmental quality control; and

14 (2) All necessary county land use and zoning change
15 permits.

16 The decision shall be subject to post-decision review procedures
17 which the state agency may provide for by rules adopted in
18 conformity with chapter 91."



1 SECTION 2. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun, before its effective date.

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval;
7 provided that sections 323D-44 and 323D-45, Hawaii Revised
8 Statutes, as amended by sections 1 and 2 of this Act, shall be
9 repealed and reenacted on January 1, 2010 in the form in which
10 they read on the day prior to the effective date of this Act.

11

INTRODUCED BY:

[Signature]
[Signature]
Rep. Hunter
Mile Canale
[Signature]
Karen Arana
Cindy Evans



Report Title:

Certificate of Need; Expedite

Description:

Requires decision regarding issuance of a certificate of need at only 1 public hearing and within 30 days if an applicant is required to and has obtained (1) an environmental impact statement or a finding of no significant impact; and (2) all necessary county land use and zoning change permits.

