

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

July 10, 2017

**GOV. MSG. NO. 1241**

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Ninth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Twenty-Ninth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 10, 2017, the following bill was signed into law:

HB880 HD1 SD2 CD1

RELATING TO THE DEPARTMENT OF  
EDUCATION  
**ACT 140 (17)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

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# A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF EDUCATION.

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

1           SECTION 1. Chapter 302A, Hawaii Revised Statutes, is  
2 amended by adding a new part to be appropriately designated and  
3 to read as follows:

4           "PART           MARK LICENSING AGREEMENT PROGRAM

5           §302A-A Definitions. As used in this part, "mark" means  
6 any trademark or service mark entitled to registration under  
7 chapter 482, whether registered or not.

8           §302A-B Mark licensing agreement program; established.

9           (a) There is established within the department a mark licensing  
10 agreement program to allow the department and a department  
11 school to license, as applicable, the department's or department  
12 school's marks.

13           (b) The department may enter into licensing agreements  
14 pursuant to this part and any rules adopted pursuant to section  
15 302A-E.

16           §302A-C Commercial enterprises. Notwithstanding any law  
17 to the contrary, the department may engage in commercial  
18 enterprises that are related and incidental to the primary



1 purposes of the department as set forth in this chapter,  
2 including the sponsorship of private, cultural, and athletic  
3 performances; the sale of goods produced by or for department  
4 programs or an individual department school; or the production  
5 of goods bearing a department or an individual department school  
6 mark.

7       **§302A-D Mark registration.** The department may register  
8 with the department of commerce and consumer affairs any mark of  
9 the department or an individual department school.

10       **§302A-E Administrative rules.** The department shall adopt  
11 rules pursuant to chapter 91 for the purposes of this part.

12 Rules adopted pursuant to this section shall address, at  
13 minimum:

- 14       (1) An application process for a mark licensing agreement;
- 15       (2) Standards for potential licensees and selection  
16             criteria;
- 17       (3) The appropriateness and quality of proposed licensed  
18             products and uses;
- 19       (4) The assessment and collection of fees;
- 20       (5) The disposition of fees and royalties;



- 1 (6) An appeals process for an application for mark
- 2 licensing that is denied; and
- 3 (7) A process to revoke or suspend a mark licensing
- 4 agreement."

5 SECTION 2. In codifying the new sections added by section  
6 1 of this Act, the revisor of statutes shall substitute  
7 appropriate section numbers for the letters used in designating  
8 the new sections in this Act.

9 SECTION 3. This Act does not affect rights and duties that  
10 matured, penalties that were incurred, and proceedings that were  
11 begun, before the effective date of this Act.

12 SECTION 4. This Act shall take effect on July 1, 2017.

APPROVED this 10 day of JUL , 2017



GOVERNOR OF THE STATE OF HAWAII



HB No. 880, HD 1, SD 2, CD 1

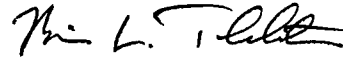
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2017  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017.



Joseph M. Souki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAII**

Date: May 2, 2017  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the  
Senate of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2017.



President of the Senate



Clerk of the Senate