



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

July 10, 2017

**GOV. MSG. NO. 1250**

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:

SB948 HD1 CD1

RELATING TO GOVERNMENTAL RETENTION  
OF ATTORNEYS  
**ACT 149 (17)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

---

---

# A BILL FOR AN ACT

RELATING TO GOVERNMENTAL RETENTION 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 court or  
16 judicial office by the chief justice or the chief  
17 justice's designee, or to a legislative office by the  
18 speaker of the house of representatives and the



1 president of the senate jointly, and the attorney  
2 general declines to provide such representation on the  
3 grounds of conflict of interest, the attorney general  
4 shall retain an attorney for the court, judicial, or  
5 legislative office, subject to approval by the court,  
6 judicial, or legislative office;

7 (3) By the legislative reference bureau;

8 (4) By any compilation commission that may be constituted  
9 from time to time;

10 (5) By the real estate commission for any action involving  
11 the real estate recovery fund;

12 (6) By the contractors license board for any action  
13 involving the contractors recovery fund;

14 (7) By the office of Hawaiian affairs;

15 (8) By the department of commerce and consumer affairs for  
16 the enforcement of violations of chapters 480 and  
17 485A;

18 (9) As grand jury counsel;

19 (10) By the Hawaii health systems corporation, or its  
20 regional system boards, or any of their facilities;

21 (11) By the auditor;



- 1 (12) By the office of ombudsman;
- 2 (13) By the insurance division;
- 3 (14) By the University of Hawaii;
- 4 (15) By the Kahoolawe island reserve commission;
- 5 (16) By the division of consumer advocacy;
- 6 (17) By the office of elections;
- 7 (18) By the campaign spending commission;
- 8 (19) By the Hawaii tourism authority, as provided in
- 9 section 201B-2.5;
- 10 (20) By the division of financial institutions [~~for any~~
- 11 ~~action involving the mortgage loan recovery fund~~];
- 12 (21) By the office of information practices; or
- 13 (22) By a department, if the attorney general, for reasons
- 14 deemed by the attorney general to be good and
- 15 sufficient, declines to employ or retain an attorney
- 16 for a department; provided that the governor waives
- 17 the provision of this section."

18 SECTION 2. Statutory material to be repealed is bracketed  
19 and stricken.

20 SECTION 3. This Act shall take effect upon its approval.

21 APPROVED this 10 day of JUL , 2017



GOVERNOR OF THE STATE OF HAWAII

SB No. 948, HD 1, CD 1

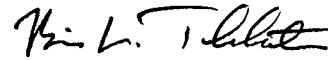
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

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

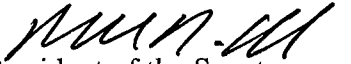


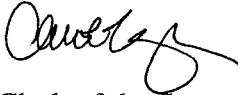
Brian L. Takeshita  
Chief Clerk  
House of Representatives

**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