

JAN 19 2022

A BILL FOR AN ACT

RELATING TO COUNTY GOVERNANCE.

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

1 SECTION 1. The legislature finds that the remaining number
2 of Hansen's disease patients in Kalawao county no longer
3 necessitates governance by the department of health.

4 The purpose of this Act is to abolish Kalawao county and
5 incorporate the portion of the island of Molokai known as
6 Kalaupapa, Kalawao, and Waikolu and commonly known or designated
7 as the Kalaupapa settlement into the county of Maui.

8 SECTION 2. Section 4-1, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§4-1 Districts, generally.** For election, taxation, city,
11 county, and all other purposes, the State shall be divided into
12 the following districts; provided that the establishment of
13 election districts shall be exclusively governed by article IV
14 of the constitution of the State of Hawaii and chapter 25:

15 (1) The island and county of Hawaii shall be divided into
16 nine districts as follows:

17 (A) Puna, to be styled the Puna district;



(B) From the Hakalau stream to the boundary of South Hilo and Puna, to be styled the South Hilo district;

(C) From the boundary of Hamakua and North Hilo to the Hakalau stream, to be styled the North Hilo district;

(D) Hamakua, to be styled the Hamakua district;

(E) North Kohala, to be styled the North Kohala district;

(F) South Kohala, to be styled the South Kohala district;

(G) North Kona, to be styled the North Kona district;

(H) South Kona, to be styled the South Kona district;
and

(I) Kau, to be styled the Kau district.

(2) The islands of Maui, Molokai, Lanai, and Kahoolawe and the ~~[counties]~~ county of Maui ~~[and Kalawae]~~ shall be divided into ~~[seven]~~ six districts as follows:

(A) Kahikinui, Kaupo, Kipahulu, Hana, and Koolau, to be styled the Hana district;



1 (B) Hamakualoa, Hamakuapoko, portion of Kula, and
2 Honuaula, the western boundary being a line
3 starting from the sea at Kapukaulua on the
4 boundary between the ahupuaas of Haliimaile and
5 Wailuku, thence running inland following the
6 boundary to the mauka side of the Lowrie ditch,
7 thence following the mauka side of the ditch and
8 its projected extension to the Waiakoa gulch
9 which is the boundary between the ahupuaas of
10 Pulehunui and Waiakoa, thence down along the
11 boundary to the mauka boundary of the Waiakoa
12 Homesteads (makai section), thence along the
13 boundary to the ahupuaa of Kaonoulu, thence
14 across the ahupuaa of Kaonoulu to the mauka
15 boundary of the Waiohuli-Keokea Beach Homesteads,
16 thence along the boundary to the mauka boundary
17 of the Kamaole Homesteads, thence along the
18 boundary and the extension thereof to the north
19 boundary of the ahupuaa of Paeahu, thence along
20 the boundary to the sea, and including the island
21 of Kahoolawe, to be styled the Makawao district;



1 (C) All that portion of central Maui lying east of a
2 line along the boundary of the ahupuaas of
3 Kahakuloa and Honokohau to the peak of Eke
4 crater, thence along the ridge of mountains and
5 down the bottom of Manawainui gulch to the sea,
6 and west of the boundary of Makawao district, to
7 be styled Wailuku district;

8 (D) All that portion of Maui lying west of Wailuku
9 district, to be styled the Lahaina district;

10 (E) The island of Molokai, [~~except that portion of~~
11 ~~the island known as Kalaupapa, Kalawao, and~~
12 ~~Waikolu and commonly known or designated as the~~
13 ~~Settlement for Hansen's disease sufferers,~~] to be
14 styled the Molokai district;

15 [~~(F)~~] ~~All that portion of the island of Molokai known~~
16 ~~as Kalaupapa, Kalawao, and Waikolu forming the~~
17 ~~county of Kalawao, to be styled the Kalawao~~
18 ~~district,~~] and

19 [~~(G)~~] (F) The island of Lanai, to be styled the Lanai
20 district.



1 (3) For judicial purposes, the island of Oahu shall be
2 divided into seven districts as follows:

3 (A) From Makapuu Head in Maunaloa to Moanalua
4 inclusive, and the islands not included in any
5 other district, to be styled the Honolulu
6 district;

7 (B) Ewa, excluding Waikakalaua, Waipio Acres, and
8 Mililani Town, to be styled the Ewa district;

9 (C) Waianae excluding Waianae Uka, to be styled the
10 Waianae district;

11 (D) From Kaena point to and including Waialeale Stream
12 excluding Wahiawa, hereinafter described, to be
13 styled the Waialua district;

14 (E) From Waialeale Stream to Lae o ka Oio, to be styled
15 the Koolauloa district;

16 (F) From Lae o ka Oio to Makapuu Head in Waimanalo,
17 to be styled the Koolaupoko district; and

18 (G) Wahiawa and Waianae Uka, including Waikakalaua,
19 Waipio Acres, and Mililani Town, lying between
20 Ewa and Waialua districts and more particularly
21 described in the following manner: Beginning at



1 Puu Kaaumakua in the Koolau range and running to
2 and along the south boundary of Waianae Uka
3 (which is also the south boundary of Schofield
4 Barracks Military Reservation) to Puu Hapapa in
5 the Waianae range; thence continuing along
6 Schofield Barracks Military Reservation northerly
7 along the Waianae range to Puu Kaala, easterly
8 along Mokuleia down ridge to Puu Pane, continuing
9 to Maili Trig. station, and down ridge to
10 Haleauau stream and down Haleauau stream to
11 Kaukonahua gulch, and easterly along the gulch to
12 the west boundary of the ahupuaa of Wahiawa;
13 thence leaving Schofield Barracks Military
14 Reservation and following up and along the west
15 and north boundaries of the ahupuaa of Wahiawa to
16 the Koolau range; thence along the Koolau range
17 to the beginning; to be styled the Wahiawa
18 district.

19 (4) For all purposes except for judicial, the island of
20 Oahu shall be divided into seven districts as follows:



- 1 (A) From Makapuu Head in Maunalua to Moanalua
2 inclusive, and the islands not included in any
3 other district, to be styled the Honolulu
4 district;
- 5 (B) Ewa, to be styled the Ewa district;
- 6 (C) Waianae excluding Waianae Uka, to be styled the
7 Waianae district;
- 8 (D) From Kaena point to and including the ahupuaa of
9 Waimea excluding Wahiawa, hereinafter described,
10 to be styled the Waialua district;
- 11 (E) From Waimea to Lae o ka Oio, to be styled the
12 Koolauloa district;
- 13 (F) From Lae o ka Oio to Makapuu Head in Waimanalo,
14 to be styled the Koolaupoko district; and
- 15 (G) Wahiawa and Waianae Uka, lying between Ewa and
16 Waialua districts and more particularly described
17 in the following manner: Beginning at Puu
18 Kaaumakua in the Koolau range and running to and
19 along the south boundary of Waianae Uka (which is
20 also the south boundary of Schofield Barracks
21 Military Reservation) to Puu Hapapa in the



1 Waianae range; thence continuing along Schofield
2 Barracks Military Reservation northerly along the
3 Waianae range to Puu Kaala, easterly along
4 Mokuleia down ridge to Puu Pane, continuing to
5 Maili Trig. station, and down ridge to Haleauau
6 stream and down Haleauau stream to Kaukonahua
7 gulch, and easterly along the gulch to the west
8 boundary of the ahupuaa of Wahiawa; thence
9 leaving Schofield Barracks Military Reservation
10 and following up and along the west and north
11 boundaries of the ahupuaa of Wahiawa to the
12 Koolau range; thence along the Koolau range to
13 the beginning; to be styled the Wahiawa district.

14 (5) The islands of Kauai, Niihau, Kaula, and county of
15 Kauai, shall be divided into five districts as
16 follows:

17 (A) From Puanaaiea point to the ili of Eleele,
18 including the islands of Niihau and Kaula, to be
19 styled the Waimea district;



1 (B) From and including the ili of Eleele to and
2 including Mahaulepu, to be styled the Koloa
3 district;

4 (C) From and including Kipu to the northerly bank of
5 the north fork and the main Wailua river, to be
6 styled the Lihue district;

7 (D) From the northerly bank of the north fork and the
8 main Wailua river to Kealaakaiole, to be styled
9 the Kawaihau district; and

10 (E) From and including Kealaakaiole to Puanaaiea
11 point to be styled the Hanalei district."

12 SECTION 3. Section 11-1, Hawaii Revised Statutes, is
13 amended by amending the definition of "county" to read as
14 follows:

15 "County", the counties of Hawaii, Maui, Kauai, and the
16 city and county of Honolulu, as the context may require. [~~For~~
17 ~~the purposes of this title, the county of Kalawao shall be~~
18 ~~deemed to be included in the county of Maui.~~]"

19 SECTION 4. Section 11-61, Hawaii Revised Statutes, is
20 amended by amending subsection (a) to read as follows:



1 "(a) The term "political party" means any party which has
2 qualified as a political party under sections 11-62 and 11-64
3 and has not been disqualified by this section. A political
4 party shall be an association of voters united for the purpose
5 of promoting a common political end or carrying out a particular
6 line of political policy and which maintains a general
7 organization throughout the State, including a regularly
8 constituted central committee and county committees in each
9 county [~~other than Kalawae~~]."

10 SECTION 5. Section 23-81, Hawaii Revised Statutes, is
11 amended by amending subsection (c) to read as follows:

12 "(c) This section shall apply to the following:

13 (1) Section 237-23(a)(3)--Fraternal benefit societies,
14 orders, or associations for the payment of benefits to
15 members;

16 (2) Section 237-23(a)(4)--Corporations, associations,
17 trusts, or societies:

18 (A) Organized and operated exclusively for religious,
19 charitable, scientific, or educational purposes;



1 (B) Operating senior citizens housing facilities
2 qualifying for loans under the United States
3 Housing Act of 1959, as amended;

4 (C) Operating legal service plans; or

5 (D) Operating or managing homeless facilities or
6 other programs for the homeless;

7 (3) Section 237-23(a)(5)--Business leagues, chambers of
8 commerce, boards of trade, civic leagues, agricultural
9 and horticultural organizations, and organizations
10 operated exclusively for the benefit of the community
11 or promotion of social welfare, including legal
12 service plans;

13 (4) Section 237-23(a)(6)--Hospitals, infirmaries, and
14 sanitararia;

15 (5) Section 237-23(a)(7)--Tax-exempt potable water
16 companies serving residential communities lacking
17 access to public utility water services;

18 (6) Section 237-23(a)(8)--Agricultural cooperative
19 associations incorporated under state or federal law;

20 (7) Section 237-23(a)(9)--Persons affected with Hansen's
21 disease and kokuas with respect to business within the



1 ~~[county of Kalawao,]~~ portion of the island of Molokai
2 known as Kalaupapa, Kalawao, and Waikolu, and commonly
3 known or designated as the Kalaupapa settlement;

4 (8) Section 237-23(a)(10)--Corporations, companies,
5 associations, or trusts organized for cemeteries; and

6 (9) Section 237-23(a)(11)--Nonprofit shippers."

7 SECTION 6. Section 101-1, Hawaii Revised Statutes, is
8 amended by amending the definition of "county" to read as
9 follows:

10 "County" means a county [~~(except the county of Kalawao)]~~
11 and any agency of a county, including the board of water supply
12 thereof, duly authorized to exercise the power of eminent
13 domain."

14 SECTION 7. Section 103F-202, Hawaii Revised Statutes, is
15 amended by amending subsection (a) to read as follows:

16 "(a) There is established a community council on purchase
17 of health and human services. The community council shall be
18 comprised of no more than nine voting members, and one non-
19 voting, ex-officio member of the interagency committee on
20 purchase of health or human services designated by the majority
21 of the members of the committee. There shall be a member from



1 each county[, ~~except the county of Kalawao,~~] and up to five
2 members interested in health, human services, employment, or the
3 provision of services to children and youth."

4 SECTION 8. Section 127A-2, Hawaii Revised Statutes, is
5 amended by amending the definition of "county" to read as
6 follows:

7 "County" means the city and county of Honolulu, and the
8 counties of Hawaii, Kauai, and Maui[, ~~provided that the county~~
9 ~~of Maui shall include the county of Kalawao for the purposes of~~
10 ~~this chapter~~]."

11 SECTION 9. Section 128A-2, Hawaii Revised Statutes, is
12 amended by amending the definition of "county" to read as
13 follows:

14 "County" means any of the political subdivisions of the
15 State, including the counties of Hawaii, Maui, and Kauai and the
16 city and county of Honolulu[, ~~but does not include the county of~~
17 ~~Kalawao~~]."

18 SECTION 10. Section 128E-4, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "[~~§~~128E-4] **Establishment of emergency planning**
21 **districts.** Each county is designated as an emergency planning



1 district for the purposes of this chapter[~~; provided that the~~
2 ~~department shall be responsible for Kalawao county~~]."

3 SECTION 11. Section 231-2, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§231-2 Taxation districts.** For the purpose of taxation,
6 the State is divided into the following four districts:

7 (1) The city and county of Honolulu, to be called the
8 first district;

9 (2) The [~~counties~~] county of Maui [~~and Kalawao~~], to be
10 called the second district;

11 (3) The county of Hawaii, to be called the third district;
12 and

13 (4) The county of Kauai, to be called the fourth
14 district."

15 SECTION 12. Section 237-23, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "(a) This chapter shall not apply to the following
18 persons:

19 (1) Public service companies as that term is defined in
20 section 239-2, with respect to the gross income,
21 either actual gross income or gross income estimated



1 and adjusted, that is included in the measure of the
2 tax imposed by chapter 239;

3 (2) Public utilities owned and operated by the State or
4 any county, or other political subdivision thereof;

5 (3) Fraternal benefit societies, orders, or associations,
6 operating under the lodge system, or for the exclusive
7 benefit of the members of the fraternity itself,
8 operating under the lodge system, and providing for
9 the payment of death, sick, accident, a legal service
10 plan, or other benefits to the members of the
11 societies, orders, or associations, and to their
12 dependents;

13 (4) Corporations, associations, trusts, or societies
14 organized and operated exclusively for religious,
15 charitable, scientific, or educational purposes, as
16 well as that of operating senior citizens housing
17 facilities qualifying for a loan under the laws of the
18 United States as authorized by section 202 of the
19 Housing Act of 1959, as amended, as well as that of
20 operating a legal service plan, as well as that of
21 operating or managing a homeless facility, or any



1 other program for the homeless authorized under
2 part XVII of chapter 346;

3 (5) Business leagues, chambers of commerce, boards of
4 trade, civic leagues, agricultural and horticultural
5 organizations, and organizations operated exclusively
6 for the benefit of the community and for the promotion
7 of social welfare that shall include the operation of
8 a legal service plan, and from which no profit inures
9 to the benefit of any private stockholder or
10 individual;

11 (6) Hospitals, infirmaries, and sanitararia;

12 (7) Companies that provide potable water to residential
13 communities that lack any access to public utility
14 water services and are tax exempt under section
15 501(c)(12) of the Internal Revenue Code of 1986, as
16 amended;

17 (8) Cooperative associations incorporated under
18 chapter 421 or Code section 521 cooperatives which
19 fully meet the requirements of section 421-23, except
20 Code section 521 cooperatives need not be organized in
21 Hawaii; provided that:



1 (A) The exemption shall apply only to the gross
2 income derived from activities that are pursuant
3 to purposes and powers authorized by chapter 421,
4 except those provisions pertaining to or
5 requiring corporate organization in Hawaii do not
6 apply to Code section 521 cooperatives;

7 (B) The exemption shall not relieve any person who
8 receives any proceeds of sale from the
9 association of the duty of returning and paying
10 the tax on the total gross proceeds of the sales
11 on account of which the payment was made, in the
12 same amount and at the same rate as would apply
13 thereto had the sales been made directly by the
14 person, and all those persons shall be so
15 taxable; and

16 (C) As used in this paragraph, "Code section 521
17 cooperatives" mean associations that qualify as a
18 cooperative under section 521 (with respect to
19 exemption of farmers' cooperatives from tax) of
20 the Internal Revenue Code of 1986, as amended;



1 (9) Persons affected with Hansen's disease and kokuas,
2 with respect to business within [~~the county of~~
3 ~~Kalawao,~~] the portion of the island of Molokai known
4 as Kalaupapa, Kalawao, and Waikolu, and commonly known
5 or designated as the Kalaupapa settlement;

6 (10) Corporations, companies, associations, or trusts
7 organized for the establishment and conduct of
8 cemeteries no part of the net earnings of which inures
9 to the financial benefit of any private stockholder or
10 individual; provided that the exemption shall apply
11 only to the activities of those persons in the conduct
12 of cemeteries and shall not apply to any activity the
13 primary purpose of which is to produce income, even
14 though the income is to be used for or in the
15 furtherance of the exempt activities of those persons;
16 and

17 (11) Nonprofit shippers associations operating under part
18 296 of the Civil Aeronautics Board Economic
19 Regulations."

20 SECTION 13. Section 243-4, Hawaii Revised Statutes, is
21 amended by amending subsection (d) to read as follows:



1 "(d) No tax shall be collected in respect to any liquid
2 fuel, including diesel oil and liquefied petroleum gas, shown to
3 the satisfaction of the department to have been sold for use in
4 and actually delivered to, or sold in, the [~~county of Kalawao.~~]
5 portion of the island of Molokai known as Kalaupapa, Kalawao,
6 and Waikolu, and commonly known or designated as the Kalaupapa
7 settlement."

8 SECTION 14. Section 281-1, Hawaii Revised Statutes, is
9 amended by amending the definition of "county" to read as
10 follows:

11 "County" means the county in respect of which each
12 commission has jurisdiction under this chapter[~~; provided that~~
13 ~~in the county of Kalawao liquor may be sold only by such persons~~
14 ~~and only under such conditions as may be permitted or prescribed~~
15 ~~from time to time by the department of health]."~~

16 SECTION 15. Section 326-24, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "**§326-24 Rules.** The director of health may adopt rules
19 pursuant to chapter 91 necessary for the conduct of all matters
20 pertaining to Hansen's disease, the treatment and care thereof,
21 and other services provided to persons affected with Hansen's



1 disease, and the full and complete governance of the county of
2 Kalawao, except as limited by this chapter."

3 amended to read as follows:

4 **"§326-24 Rules.** The director of health may adopt rules
5 pursuant to chapter 91 necessary for the conduct of all matters
6 pertaining to Hansen's disease, the treatment and care thereof,
7 and other services provided to persons affected with Hansen's
8 disease, [~~and the full and complete governance of the county of~~
9 ~~Kalawao,~~] except as limited by this chapter."

10 SECTION 16. Section 326-29, Hawaii Revised Statutes, is
11 amended to read as follows:

12 **"§326-29 Fishing laws exemption; Kalaupapa.**
13 Notwithstanding any provision of law to the contrary, state laws
14 on fishing shall not be applicable to Hansen's disease patients
15 of Kalaupapa, provided the patients engage in fishing along the
16 shorelines and in waters immediately adjacent to the [~~county of~~
17 ~~Kalawao,~~] portion of the island of Molokai known as Kalaupapa,
18 Kalawao, and Waikolu, and commonly known or designated as the
19 Kalaupapa settlement.

20 No fish or other marine products obtained by patients may
21 be sold outside of the [~~county of Kalawao,~~] portion of the



1 island of Molokai known as Kalaupapa, Kalawao, and Waikolu, and
2 commonly known or designated as the Kalaupapa settlement.

3 The department of health shall adopt rules pursuant to
4 chapter 91 necessary to control all fishing and acquisition of
5 marine products by Hansen's disease patients."

6 SECTION 17. Section 329D-2, Hawaii Revised Statutes, is
7 amended by amending subsection (d) to read as follows:

8 "(d) The department shall issue eight dispensary licenses
9 statewide; provided that three dispensary licenses shall be
10 issued for the city and county of Honolulu, two dispensary
11 licenses each shall be issued for the county of Hawaii and the
12 county of Maui, and one dispensary license shall be issued for
13 the county of Kauai[; ~~provided further that no dispensary~~
14 ~~license shall be issued for the county of Kalawao]."~~

15 SECTION 18. Section 431:10C-119, Hawaii Revised Statutes,
16 is amended by amending subsection (a) to read as follows:

17 "(a) Prior to licensing an insurer to transact a motor
18 vehicle insurance business in this State, the commissioner:

19 (1) Shall effect a thorough examination of the insurer's
20 business experience, financial soundness, and general
21 reputation as an insurer in this and other states. In



1 the discretion of the commissioner, this examination
2 may include an examination of any or all of the
3 business records of the insurer, and an audit of all
4 or any part of the insurer's motor vehicle insurance
5 business, each to be performed by the commissioner's
6 staff or by independent consultants. No license shall
7 be issued until the commissioner is satisfied as to
8 the business experience, financial solvency, and the
9 economic soundness of the insurer;

10 (2) Except for a member-owned reciprocal insurer and its
11 wholly owned insurer subsidiaries, as specified in
12 subsection (c), shall require of each insurer, and
13 determine that satisfactory arrangements have been
14 made for, the provision of a complete sales and claims
15 service office in the State; provided that the
16 establishment and maintenance of an office by licensed
17 producers of an insurer in every county the insurer
18 does business shall meet the requirements of this
19 paragraph; ~~[provided further that the preceding shall~~
20 ~~not be required for the county of Kalawao,]~~ and



(3) Notwithstanding any other requirements of this section or of the insurance code, may require a bond in a reasonable amount and with deposits or sureties determined in the commissioner's discretion of any applicant for a license hereunder. The commissioner may, at any time, make and enforce such a requirement of any licensed insurer or self-insurer."

SECTION 19. Section 445-13, Hawaii Revised Statutes, is amended to read as follows:

"§445-13 License inspectors. ~~[The deputy sheriff of Kalawao, any]~~ Any police officer~~[,]~~ or any authorized representative of the county director of finance duly authorized by a chief of police shall be ex officio license inspectors of the counties for which they are appointed or authorized, and as such, they shall from time to time report to the county director of finance the names of all persons within the county who are liable for the payment of license fees."

SECTION 20. Section 804-5, Hawaii Revised Statutes, is amended to read as follows:

"§804-5 By whom allowed. In cases where the punishment for the offense charged may be imprisonment for life not subject



1 to parole, or imprisonment for a term more than ten years with
2 or without fine, a judge or justice of a court of record,
3 including a district judge, shall be competent to admit the
4 accused to bail, in conformity with sections 804-3 to 804-6. In
5 all other cases, the accused may be so admitted to bail by any
6 judge or justice of a court of record, including a district
7 judge, and in cases, except under section 712-1207, where the
8 punishment for the offense charged may not exceed two years'
9 imprisonment with or without fine, the sheriff, the sheriff's
10 deputy, the chief of police or any person named by the chief of
11 police, [~~or the sheriff of Kalawao,~~] regardless of the circuit
12 within which the alleged offense was committed, may admit the
13 accused person to bail. The court shall impose conditions of
14 release or bail that are the least restrictive conditions
15 required to ensure the accused's appearance and to protect the
16 public."

17 SECTION 21. Section 326-34, Hawaii Revised Statutes, is
18 repealed.

19 [~~"§326-34 County of Kalawao; governance. (a) The county~~
20 ~~of Kalawao shall consist of that portion of the island of~~
21 ~~Moelokai known as Kalaupapa, Kalawao, and Waikolu, and commonly~~



1 ~~known or designated as the Kalaupapa Settlement, and shall not~~
2 ~~be or form a portion of the county of Maui, but is constituted a~~
3 ~~county by itself. As a county it shall have only the powers~~
4 ~~especially conferred and given by sections 326-34 to 326-38 and,~~
5 ~~except as provided in those sections, none of the provisions of~~
6 ~~the Hawaii Revised Statutes regarding counties shall be deemed~~
7 ~~to refer to or shall be applicable to the county of Kalawao.~~

8 ~~(b) The county of Kalawao shall be under the jurisdiction~~
9 ~~and control of the department of health and be governed by the~~
10 ~~laws, and rules relating to the department and the care and~~
11 ~~treatment of persons affected with Hansen's disease, except as~~
12 ~~otherwise provided by law."]~~

13 SECTION 22. Section 326-35, Hawaii Revised Statutes, is
14 repealed.

15 ~~["§326-35 Sheriff, appointment, removal. There shall be~~
16 ~~no county officer in the county other than a sheriff, who shall~~
17 ~~be a patient resident of and be appointed in the county by the~~
18 ~~department of health and who shall hold office at the pleasure~~
19 ~~of the department or until a successor is appointed by the~~
20 ~~department. When a qualified patient resident is not available,~~



1 ~~the department may appoint a staff employee or other qualified~~
2 ~~person to serve as sheriff."]~~

3 SECTION 23. Section 326-36, Hawaii Revised Statutes, is
4 repealed.

5 [~~"§326-36 Sheriff, salary. The salary of the sheriff~~
6 ~~shall be fixed and paid by the department of health out of the~~
7 ~~appropriation allowed by the legislature for the care and~~
8 ~~treatment of persons affected with Hansen's disease."]~~

9 SECTION 24. Section 326-37, Hawaii Revised Statutes, is
10 repealed.

11 [~~"§326-37 Sheriff, duties. The sheriff of the county of~~
12 ~~Kalawao shall preserve the public peace and shall arrest and~~
13 ~~take before the district judge for examination all persons who~~
14 ~~attempt to commit or who have committed a public offense and~~
15 ~~prosecute the same to the best of the sheriff's ability."]~~

16 SECTION 25. Section 326-38, Hawaii Revised Statutes, is
17 repealed.

18 [~~"§326-38 Sheriff, powers. The sheriff may appoint and~~
19 ~~dismiss and reappoint as many police officers as may be~~
20 ~~authorized by the department of health for the county. Patient~~
21 ~~residents, for the services rendered as police officers, shall~~



1 ~~receive pay as the department determines and which pay shall be~~
2 ~~taken out of and from the appropriation made by the legislature~~
3 ~~for the care and treatment of persons affected with Hansen's~~
4 ~~disease. The sheriff shall have other powers and duties within~~
5 ~~the county of Kalawao and appropriate thereto as are prescribed~~
6 ~~by law for the chiefs of police or police officers of the~~
7 ~~several counties respectively."]~~

8 SECTION 26. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 27. This Act shall take effect on January 2, 2025.

11
INTRODUCED BY: _____

Mun. CA.

By Request



S.B. NO. 2103

Report Title:

Maui County Council Package; Kalawao County; Maui County;
Department of Health

Description:

Abolishes Kalawao County and incorporates the area into Maui
County.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

