



## RESOLUTION

RELATING TO THE 2016 HAWAII STATE ASSOCIATION OF COUNTIES  
LEGISLATIVE PACKAGE.

WHEREAS, the Hawaii State Association of Counties ("HSAC") is composed of the members of all four county councils of the State of Hawaii; and

WHEREAS, the legislative package proposed by HSAC represents the state legislative priorities of the counties; and

WHEREAS, the HSAC Executive Committee has proposed state legislation, including the bill referenced in this resolution, to be part of the Hawaii State Association of Counties' 2016 legislative package; and

WHEREAS, in accordance with Section 13C of the HSAC Bylaws, each bill or resolution included in HSAC's Legislative Package shall have been approved by all four county councils; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it approves for inclusion in the 2016 HSAC legislative package as follows:

1. A proposed bill to clarify county zoning authority by distinguishing single-family residential use from single-family transient vacation rentals over a reasonable period, attached as Exhibit A.
2. A proposed bill to delete the sunset provision for the liability exceptions for county lifeguards, attached as Exhibit B.
3. A proposed bill to require mopeds to be subject to the State's safety check program, attached as Exhibit C.
4. A proposed bill to allow counties to make short-term investments with similar authority as the State Director of Finance, attached as Exhibit D.
5. A proposed bill to permit members of a county council to jointly attend and speak at a community, education or informational meeting or presentation, provided the meeting or presentation is open to the public, attached as Exhibit E.
6. A proposed bill to allow persons with disabilities the option to indicate their disability on their identification cards, such as the State of Hawaii identification card or driver's license, attached as Exhibit F.



RESOLUTION

- 7. A proposed resolution requesting the Hawaii State Legislature to urge Hawaii's Congressional Delegation to propose and pass an amendment clarifying that corporations are not people with Constitutional rights and that unlimited campaign spending is not free speech, attached as Exhibit G.

and

BE IT FINALLY RESOLVED that a copy of this Resolution be transmitted to the President of the Hawaii State Association of Counties.

INTRODUCED BY:

*[Handwritten Signature]* (BR)

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DATE OF INTRODUCTION:

JAN 6 2016  
Honolulu, Hawaii

\_\_\_\_\_ Councilmembers

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# A BILL FOR AN ACT

*RELATING TO ZONING.*

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

1           SECTION 1.       Section 46-4, Hawai'i Revised Statutes, is amended by  
2 amending subsection (a) to read as follows:

3           “(a) This section and any ordinance, rule, or regulation adopted in  
4 accordance with this section shall apply to lands not contained within the forest  
5 reserve boundaries as established on January 31, 1957, or as subsequently  
6 amended.

7           Zoning in all counties shall be accomplished within the framework of a long-  
8 range, comprehensive general plan prepared or being prepared to guide the overall  
9 future development of the county. Zoning shall be one of the tools available to the  
10 county to put the general plan into effect in an orderly manner. Zoning in the  
11 counties of Hawai'i, Maui, and Kaua'i means the establishment of districts of such  
12 number, shape, and area, and the adoption of regulations for each district to carry  
13 out the purposes of this section. In establishing or regulating the districts, full  
14 consideration shall be given to all available data as to soil classification and  
15 physical use capabilities of the land to allow and encourage the most beneficial use  
16 of the land consonant with good zoning practices. The zoning power granted herein  
17 shall be exercised by ordinance which may relate to:

EXHIBIT A

\_\_\_\_.B. NO. \_\_\_\_\_

1           (1)    The areas within which agriculture, forestry, industry, trade, and  
2 business may be conducted;

3           (2)    The areas in which residential uses may be regulated or prohibited;

4           (3)    The areas bordering natural watercourses, channels, and streams, in  
5 which trades or industries, filling or dumping, erection of structures, and the  
6 location of buildings may be prohibited or restricted;

7           (4)    The areas in which particular uses may be subjected to special  
8 restrictions;

9           (5)    The location of buildings and structures designed for specific uses and  
10 designation of uses for which buildings and structures may not be used or altered;

11          (6)    The location, height, bulk, number of stories, and size of buildings and  
12 other structures;

13          (7)    The location of roads, schools, and recreation areas;

14          (8)    Building setback lines and future street lines;

15          (9)    The density and distribution of population;

16          (10)   The percentage of a lot that may be occupied, size of yards, courts, and  
17 other open spaces;

18          (11)   Minimum and maximum lot sizes; and

19          (12)   Other regulations the boards or city council find necessary and proper  
20 to permit and encourage the orderly development of land resources within their  
21 jurisdictions.

\_\_\_\_.B. NO. \_\_\_\_\_

1           The council of any county shall prescribe rules, regulations, and  
2 administrative procedures and provide personnel it finds necessary to enforce this  
3 section and any ordinance enacted in accordance with this section. The ordinances  
4 may be enforced by appropriate fines and penalties, civil or criminal, or by court  
5 order at the suit of the county or the owner or owners of real estate directly affected  
6 by the ordinances.

7           Any civil fine or penalty provided by ordinance under this section may be  
8 imposed by the district court, or by the zoning agency after an opportunity for a  
9 hearing pursuant to chapter 91. The proceeding shall not be a prerequisite for any  
10 injunctive relief ordered by the circuit court.

11           Nothing in this section shall invalidate any zoning ordinance or regulation  
12 adopted by any county or other agency of government pursuant to the statutes in  
13 effect prior to July 1, 1957.

14           The powers granted herein shall be liberally construed in favor of the county  
15 exercising them, and in such a manner as to promote the orderly development of  
16 each county or city and county in accordance with a long-range, comprehensive  
17 general plan to ensure the greatest benefit for the State as a whole. This section  
18 shall not be construed to limit or repeal any powers of any county to achieve these  
19 ends through zoning and building regulations, except insofar as forest and water  
20 reserve zones are concerned and as provided in subsections (c) and (d).



\_\_\_\_.B. NO. \_\_\_\_\_

Report Title:

County Zoning; Single-Family Transient Vacation Rentals

Description:

Clarifies County zoning authority by distinguishing Single-Family residential use from Single-Family vacation rental use and allowing amortization by ordinance for Single-Family Transient Vacation Rentals over a reasonable period.

\_\_\_\_.B. NO. \_\_\_\_\_

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## A BILL FOR AN ACT

RELATING TO TORT LIABILITY.

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

1           SECTION 1.           Act 170, Session Laws of Hawai'i 2002, as amended by  
2 section 4 of Act 152, Session Laws of Hawaii 2007, as amended by section 2 of  
3 Act 81, Session Laws of Hawai'i 2009, as amended by section 1 of Act 98, Session  
4 Laws of Hawai'i 2013, is amended by amending section 5 to read as follows:

5           "SECTION 5. This Act shall take effect upon its approval. [~~provided that~~  
6 ~~section 1 of this Act shall be repealed on June 30, 2017]."~~

7           SECTION 2.           Statutory material to be repealed is bracketed and  
8 stricken.

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

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INTRODUCED BY: \_\_\_\_\_

\_\_\_\_.B. NO. \_\_\_\_\_

**Report Title:**

State and County Tort Liability

**Description:**

Deletes the sunset provision for the liability exceptions for county lifeguards.

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

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\_\_\_B. NO. \_\_\_

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## A BILL FOR AN ACT

RELATING TO MOPEDS.

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

1       SECTION 1. Section 286-2, Hawaii Revised Statutes, is  
2 amended by amending the definitions of "motor vehicle" and  
3 "vehicle" to read as follows:

4       ""Motor vehicle" means every vehicle which is self-  
5 propelled and every vehicle which is propelled by electric power  
6 but which is not operated upon rails [~~but excludes a moped~~].

7       "Vehicle" means every device in, upon, or by which any  
8 person or property is or may be transported or drawn upon a  
9 highway, but excludes devices moved by human power or devices  
10 used exclusively upon stationary rails or tracks [~~and mopeds~~]."

11       SECTION 2. Section 286-26, Hawaii Revised Statutes, is  
12 amended by amending subsection (b) to read as follows:

13       "(b) All other vehicles, including mopeds, motorcycles,  
14 trailers, semitrailers, and pole trailers having a gross vehicle  
15 weight rating of 10,000 pounds or less, and antique motor  
16 vehicles as defined in section 249-1, except those in  
17 subsections (c) and (d), shall be certified as provided in

\_\_\_\_.B. NO. \_\_\_\_\_

1 subsection (e) every twelve months; provided that any vehicle to  
2 which this subsection applies shall not require inspection  
3 within two years of the date on which the vehicle was first  
4 sold."

5 SECTION 3. Section 291C-202, Hawaii Revised Statutes, is  
6 amended by amending subsection (c) to read as follows:

7 "(c) ~~(The director of transportation by rules and~~  
8 ~~regulations, pursuant to chapter 91, shall establish criteria~~  
9 ~~and procedures for the annual safety inspection of every~~  
10 ~~moped.]~~ Every moped shall be inspected in accordance with  
11 section 286-26. Safety inspection criteria shall include the  
12 criteria established by the director of transportation under  
13 subsection (b)."

14 SECTION 4. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_

JUSTIFICATION SHEET

PROPOSER: Hawai'i State Association of Counties

TITLE: A Bill for an Act Relating to Mopeds

PURPOSE: This proposed Bill for an Act requires mopeds to be subject to the State's safety check program.

MEANS: Amends various sections of the Hawai'i Revised Statutes (HRS) to include mopeds in the State's safety check program, and makes conforming amendments as needed.

JUSTIFICATION: Mopeds are driven by residents and visitors alike on Hawaii roadways and streets, interacting with other motor vehicles, bicyclists and pedestrians. In order to increase the safety of moped drivers and others traveling on local streets and roadways, it is imperative that mopeds be required to meet the safety and other criteria that other motor vehicles are already subject to. Requiring mopeds to be subject to the State's safety check program is an important step in increasing safety on Hawaii's roadways by decreasing incidents resulting from equipment failure or deficiencies.

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A BILL FOR AN ACT

RELATING TO COUNTIES.

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

1 SECTION 1. Section 46-50, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§46-50 Short term investment of county moneys. (a) The  
4 director of finance of each county may, with the approval of the  
5 legislative body, invest county moneys that are in excess of the  
6 amounts necessary for the meeting of immediate requirements when  
7 in the judgment of the legislative body the action will not  
8 impede or hamper the necessary financial operations of the  
9 county in:

- 10 (1) Bonds or interest-bearing notes or obligations:
- 11 (A) Of the county;
  - 12 (B) Of the State;
  - 13 (C) Of the United States; or
  - 14 (D) Of agencies of the United States for which the  
15 full faith and credit of the United States are  
16 pledged for the payment of principal and  
17 interest;



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- 1       (2) Federal [~~land bank~~] Farm Credit System notes and  
2               bonds;
- 3       (3) [~~Joint stock farm loan bonds,~~] Federal Agricultural  
4               Mortgage Corporation notes and bonds;
- 5       (4) Federal Home Loan Bank notes and bonds;
- 6       (5) Federal Home Loan Mortgage Corporation bonds;
- 7       (6) Federal National Mortgage Association notes and bonds;
- 8       (7) Securities of a mutual fund whose portfolio is limited  
9               to bonds or securities issued or guaranteed by the  
10              United States or an agency thereof;
- 11      (8) Tennessee Valley Authority notes and bonds;
- 12      [+8+] (9) Repurchase agreements fully collateralized by any  
13              such bonds or securities;
- 14      [+9+] (10) [~~Bank~~] Federally insured savings accounts;
- 15      [+10+] (11) Time certificates of deposit;
- 16      [+11+] (12) Certificates of deposit open account;
- 17      [+12+] (13) Bonds of any improvement district of any county  
18              of the State;
- 19      [+13+] (14) Bank, savings and loan association, and  
20              financial services loan company repurchase agreements;
- 21      [+14+] (15) Student loan resource securities including:



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- 1 (A) Student loan auction rate securities;
- 2 (B) Student loan asset-backed notes;
- 3 (C) Student loan program revenue notes and bonds; and
- 4 (D) Securities issued pursuant to Rule 144A of the
- 5 Securities Act of 1933, including any private
- 6 placement issues;
- 7 issued with either bond insurance or
- 8 overcollateralization guaranteed by the United States
- 9 Department of Education; provided all insurers
- 10 maintain a triple-A rating by Standard & Poor's,
- 11 Moody's, Duff & Phelps, Fitch, or any other major
- 12 national securities rating agency;
- 13 [~~15~~] (16) Commercial paper with an A1/P1 or equivalent
- 14 rating by any national securities rating service;
- 15 [~~and~~]
- 16 [~~16~~] (17) Bankers' acceptances with an A1/P1 or equivalent
- 17 rating by any national securities rating service; and
- 18 (18) Securities of a money market mutual fund that is rated
- 19 AAA, or its equivalent, by a nationally recognized
- 20 rating agency or whose portfolio consists of
- 21 securities that are rated as first tier securities by



# S.B. NO.

1           a nationally recognized statistical rating  
2           organization as provided in title 17 Code of Federal  
3           Regulations section 270.2a-7;  
4 provided the investments are due to mature not more than five  
5 years from the date of investment. The income derived therefrom  
6 shall be deposited in the fund or funds that the legislative  
7 body shall direct; provided that if any money invested under  
8 this section belongs to any waterworks fund, then any income  
9 derived therefrom shall be paid into and credited to the fund.

10           (b) Except with respect to an early withdrawal penalty on  
11 an investment permitted by this section, the amount of such  
12 penalty being mutually agreed at the time of acquisition of such  
13 investment, no investment permitted by this section shall  
14 require or may in the future require payments by the county,  
15 whether unilateral, reciprocal, or otherwise, including margin  
16 payments, or shall bear interest at a variable rate which causes  
17 or may cause the market price of such investment to fluctuate;  
18 provided that such limitation shall not apply to money market  
19 mutual funds which:

20           (1) Invest solely in:



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- 1           (A) Direct and general obligations of the United  
2                           States of America; or
- 3           (B) Obligations of any agency or instrumentality of  
4                           the United States of America the payment of the  
5                           principal and interest on which are  
6                           unconditionally guaranteed by the full faith and  
7                           credit of the United States of America;
- 8           (2) Are rated at the time of purchase "AAAm-G" or its  
9                           equivalent by Standard & Poor's Ratings Group; and
- 10          (3) Are open-end management investment companies regulated  
11                           under the Investment Company Act of 1940, as amended,  
12                           which calculate their current price per share pursuant  
13                           to Rule 2a-7 (title 17 Code of Federal Regulations  
14                           section 270.2a-7) promulgated under such act.
- 15          (c) Furthermore, a county shall not acquire any investment  
16                           or enter into any agreement in connection with the acquisition  
17                           of any investment or related to any existing investment held by  
18                           the county, which would require or may in the future require any  
19                           payment by the county, whether unilateral, reciprocal, or  
20                           otherwise, such as swap agreements, hedge agreements, or other  
21                           similar agreements. For purposes of this section, a swap or



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1 hedge payment is any payment made by the county in consideration  
2 or in exchange for a reciprocal payment by any person, such as a  
3 variable rate payment in exchange for a fixed rate payment, a  
4 fixed rate payment in exchange for a variable rate payment, a  
5 payment when a cap or a floor amount is exceeded, or other  
6 similar payment."

7 SECTION 2. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: \_\_\_\_\_



# S.B. NO.

**Report Title:**

County Administration; County Moneys; Short Term Investment

**Description:**

Allows the counties to make short term investments with similar authority as the state director of finance.

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



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# A BILL FOR AN ACT

RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS.

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

1           SECTION 1. Section 92-2.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§92-2.5 Permitted interactions of members. (a) Two  
4 members of a board may discuss between themselves matters  
5 relating to official board business to enable them to perform  
6 their duties faithfully, as long as no commitment to vote is  
7 made or sought and the two members do not constitute a quorum of  
8 their board.

9           (b) Two or more members of a board, but less than the  
10 number of members which would constitute a quorum for the board,  
11 may be assigned to:

12           (1) Investigate a matter relating to the official business  
13 of their board; provided that:

14                   (A) The scope of the investigation and the scope of  
15 each member's authority are defined at a meeting of the board;

16                   (B) All resulting findings and recommendations are  
17 presented to the board at a meeting of the board; and

18                   (C) Deliberation and decisionmaking on the matter  
19 investigated, if any, occurs only at a duly noticed meeting of  
20 the board held subsequent to the meeting at which the findings  
21 and recommendations of the investigation were presented to the  
22 board; or

23           (2) Present, discuss, or negotiate any position which the  
24 board has adopted at a meeting of the board; provided that the  
25 assignment is made and the scope of each member's authority is  
26 defined at a meeting of the board prior to the presentation,  
27 discussion, or negotiation.

1           (c) Discussions between two or more members of a board,  
2 but less than the number of members which would constitute a  
3 quorum for the board, concerning the selection of the board's  
4 officers may be conducted in private without limitation or  
5 subsequent reporting.

6           (d) Board members present at a meeting that must be  
7 canceled for lack of quorum or terminated pursuant to section  
8 92-3.5(c) may nonetheless receive testimony and presentations on  
9 items on the agenda and question the testifiers or presenters;  
10 provided that:

11           (1) Deliberation or decisionmaking on any item, for which  
12 testimony or presentations are received, occurs only at a duly  
13 noticed meeting of the board held subsequent to the meeting at  
14 which the testimony and presentations were received;

15           (2) The members present shall create a record of the oral  
16 testimony or presentations in the same manner as would be  
17 required by section 92-9 for testimony or presentations heard  
18 during a meeting of the board; and

19           (3) Before its deliberation or decisionmaking at a  
20 subsequent meeting, the board shall:

21                   (A) Provide copies of the testimony and presentations  
22 received at the canceled meeting to all members of the board;  
23 and -

24                   (B) Receive a report by the members who were present  
25 at the canceled or terminated meeting about the testimony and  
26 presentations received.

27           (e) Two or more members of a board, but less than the  
28 number of members which would constitute a quorum for the board,  
29 may attend an informational meeting or presentation on matters  
30 relating to official board business, including a meeting of  
31 another entity, legislative hearing, convention, seminar, or  
32 community meeting; provided that the meeting or presentation is  
33 not specifically and exclusively organized for or directed  
34 toward members of the board. The board members in attendance  
35 may participate in discussions, including discussions among  
36 themselves; provided that the discussions occur during and as  
37 part of the informational meeting or presentation; and provided

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1 further that no commitment relating to a vote on the matter is  
2 made or sought.

3 At the next duly noticed meeting of the board, the board  
4 members shall report their attendance and the matters presented  
5 and discussed that related to official board business at the  
6 informational meeting or presentation.

7 (f) Discussions between the governor and one or more  
8 members of a board may be conducted in private without  
9 limitation or subsequent reporting; provided that the discussion  
10 does not relate to a matter over which a board is exercising its  
11 adjudicatory function.

12 (g) Discussions between two or more members of a board and  
13 the head of a department to which the board is administratively  
14 assigned may be conducted in private without limitation;  
15 provided that the discussion is limited to matters specified in  
16 section 26-35.

17 (h) Communications, interactions, discussions,  
18 investigations, and presentations described in this section are  
19 not meetings for purposes of this part.

20 (i) Two or more members of a county council may jointly  
21 attend and speak at a community, educational, or informational  
22 meeting or presentation, such as a meeting of another entity,  
23 legislative hearing, convention, seminar, conference, or  
24 community meeting, if the meeting or presentation is open to the  
25 public.

26 SECTION 2. Statutory material to be deleted is bracketed  
27 and in strikethrough. New statutory material is underscored.

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

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30 INTRODUCED BY: \_\_\_\_\_

31 paf:mkz:15-177b

\_\_\_\_.B. NO. \_\_\_\_\_

PROPOSER: Hawai'i State Association of Counties

TITLE: A Bill For An Act Relating To Public Agency Meetings And Records

PURPOSE: The purpose of the proposed bill is to permit members of a county council to jointly attend and speak at a community, educational or informational meeting or presentation, provided the meeting or presentation is open to the public.

MEANS: Amends Section 92-2.5, Hawaii Revised Statutes.

JUSTIFICATION: Council members are impeded from attending community and educational meetings when it is possible that such attendance will result in alleged Sunshine Law violations or create other burdens. Community and educational meetings provide critically important information on matters that may be addressed by policy makers. If enacted, this bill will permit councilmembers to better serve their constituents in a well-informed, transparent and responsive manner without fear of violating the Sunshine Law.

\_\_\_\_.B. NO.\_\_\_\_

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## A BILL FOR AN ACT

RELATING TO IDENTIFICATION CARDS FOR PERSONS WITH DISABILITIES.

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

1           SECTION 1. This legislature finds that persons with  
2 disabilities have the desire to indicate on their identification  
3 cards, such as the State of Hawaii identification card, driver's  
4 license, or an identification card for persons with  
5 disabilities, their disability. An identification card clearly  
6 indicating a person's disability would allow the person access  
7 to certain eligible public services such as special  
8 transportation and seating for persons with disabilities at  
9 public events. This would also allow the person with disability  
10 to communicate any special needs to police and other public  
11 safety personnel in the event of an emergency.

12           Those who choose to include the international handicap  
13 symbol and information about their disability on their driver's  
14 license, State identification card, and identification card for  
15 persons with disabilities may do so under this Act.

EXHIBIT F

\_\_\_\_.B. NO. \_\_\_\_\_

1 SECTION 2. Section 286-2, Hawaii Revised Statutes, is  
2 amended by adding new definitions to be appropriately inserted  
3 and to read as follows:

4 "Disability" means any physical, mental, or neurological  
5 impairment that severely restricts a person's mobility, manual  
6 dexterity, or ability to climb stairs; substantial loss of sight  
7 or hearing; loss of one or more limbs or use thereof; or  
8 significantly diminished reasoning capacity.

9 "Person with disabilities" means any person with a  
10 permanent or temporary disability.

11 SECTION 3. Chapter 286, Hawaii Revised Statutes, is amended  
12 by adding a new section to part VI to be appropriately  
13 designated and to read as follows:

14 "§286- Driver's license for persons with disabilities.

15 Persons with disabilities may opt to identify their  
16 disability on their driver's license upon receipt of the  
17 required documentation as stated in this section, from the  
18 person requesting its inclusion. The driver's license shall  
19 display the international handicap symbol on a location  
20 designated by the department."

21 SECTION 4. Section 286-305, Hawaii Revised Statutes, is  
22 amended to read as follows:

\_\_\_\_.B. NO. \_\_\_\_\_

1           "§286-305   Contents and characteristics; form. (a) Each  
2   identification card issued by the examiner of drivers shall  
3   display a distinguishing number assigned to the cardholder, and  
4   shall display the following inscription:

5           "STATE OF HAWAII IDENTIFICATION CARD"

6           (b) The examiner of drivers, after obtaining the  
7   fingerprint of the applicant as provided in this part and after  
8   obtaining the information required by or pursuant to this part,  
9   shall issue to each applicant an identification card in a form  
10   and with identifying information that the director deems  
11   necessary and appropriate, including a notation of veteran  
12   status, if desired by the applicant, on the front of the card  
13   where applicable; provided that such notation shall not include  
14   any designation other than the term "veteran". As used in this  
15   subsection, "veteran" means any person who served in any of the  
16   uniformed services of the United States and was discharged under  
17   conditions other than dishonorable.

18           (c) The identification card shall not display the  
19   cardholder's social security number.

20           (d) The identification card shall be designed to prevent  
21   its reproduction or alteration without ready detection.

\_\_\_\_.B. NO. \_\_\_\_\_

1 (e) The identification card for individuals under twenty-  
2 one years of age shall have characteristics prescribed by the  
3 examiner distinguishing it from that issued to [a] an individual  
4 who is twenty-one years of age or older.

5 (f) Persons with disabilities may opt to identify their  
6 disability on their identification card upon receipt of the  
7 required documentation from the person requesting its inclusion.  
8 The identification card shall display the international handicap  
9 symbol on a location designated by the department."

10 SECTION 5. Chapter 286, Hawaii Revised Statutes, is amended  
11 by adding a new section to part XVI to be appropriately  
12 designated and to read as follows:

13 "§286- Identification card for persons with  
14 disabilities. (a) The department shall issue identification  
15 cards to persons with disabilities pursuant to section 286-305.

16 (b) The identification card for persons with disabilities  
17 shall include characteristics and content pursuant to section  
18 286-305 and display the international handicap symbol on a  
19 location designated by the department. On the reverse side of  
20 the identification card shall be a space within which the  
21 department shall enter such disability information the applicant  
22 may request.

\_\_\_\_.B. NO. \_\_\_\_\_

1       (c) The department may display the international handicap  
2 symbol on the front and may print the disability information on  
3 the reverse on any driver's license or identification card  
4 issued pursuant to the provisions of this chapter upon receipt  
5 of the required documentation from the person requesting its  
6 inclusion.

7       (d) An identification card for persons with disabilities  
8 shall be issued to a person with a temporary disability upon  
9 presentation of a sworn affidavit of at least one medical doctor  
10 attesting to such disability and estimating the duration of the  
11 disability. Such identification cards shall be issued for  
12 periods of six months, and a current affidavit of a medical  
13 doctor attesting to the continuance of such disability shall be  
14 presented at each request thereafter."

15       SECTION 6. New statutory material is underscored.

16       SECTION 7. This Act shall take effect on July 1, 2016.

INTRODUCED BY: \_\_\_\_\_

paf:mkz:15-190a

\_\_\_\_.B. NO.\_\_\_\_

PROPOSER: Hawaii State Association of Counties

TITLE: A Bill For An Act Relating To Identification Cards For Persons With Disabilities

PURPOSE: The purpose of the proposed bill is to allow persons with disabilities the option to indicate on their identification cards, such as the State of Hawaii identification card, driver's license or an identification card for persons with disabilities, their disability.

MEANS: Amends Chapter 286, Hawaii Revised Statutes.

JUSTIFICATION: An identification card clearly indicating a person's disability would allow the person access to certain eligible public services such as special transportation and seating for persons with disabilities at public events. This would also allow the person with disability to communicate any special needs to police and other public safety personnel in the event of an emergency.

Hawai'i State Association of Counties (HSAC)  
Counties of Kaua'i, Maui, Hawai'i & City & County of Honolulu

A RESOLUTION REQUESTING THE HAWAII STATE LEGISLATURE  
URGE HAWAII'S CONGRESSIONAL DELEGATION TO  
PROPOSE AND PASS AN AMENDMENT CLARIFYING THAT  
CORPORATIONS ARE NOT PEOPLE WITH CONSTITUTIONAL RIGHTS,  
AND THAT UNLIMITED CAMPAIGN SPENDING IS NOT FREE SPEECH

---

WHEREAS, the United States Constitution was written and approved with the intention of protecting the rights of individual human beings ("natural persons"); and

WHEREAS, corporations are not mentioned in the Constitution, and the people of the United States ("The People") have never granted constitutional rights to corporations, nor decreed that corporations have authority that exceeds the authority of The People; and

WHEREAS, the United States Supreme Court, in Austin v. Michigan Chamber of Commerce (1990), recognized as a threat to a republican form of government "the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate form and that have little or no correlation to the public's support for the corporation's political ideas"; and

WHEREAS, the United States Supreme Court in Citizens United v. Federal Election Commission (2010) ("Citizens United") reversed the decision in Austin by rolling back legal limits on corporate spending in the electoral process and allowing unlimited corporate spending to sway votes and influence elections, candidate selection, and policy decisions; and

WHEREAS, the majority decision in Citizens United was recognized as a serious threat to self-government by the four dissenting justices. Corporations have special advantages not enjoyed by natural persons, such as limited liability, perpetual life, and favorable treatment of the accumulation and distribution of assets. These advantages allow them to amass and spend prodigious sums on campaign messages that often have far greater reach and influence than messages from individuals; and

WHEREAS, federal courts in Buckle v. Valeo (1976) and in SpeechNow.org v. FED (2010) overturned limits on independent expenditures because the "corruption or perception of corruption" rationale was only applicable to direct contributions to candidates; and

Hawai'i State Association of Counties (HSAC)  
Counties of Kaua'i, Maui, Hawai'i & City & County of Honolulu

WHEREAS, United States Supreme Court, in Justice Stevens, observed in Nixon v. Shrink Missouri Government PAC (2000) that "money is property, it is not speech"; and

WHEREAS, Article V of the United States Constitution allows The People of the various states to amend the U.S. Constitution to correct those egregiously wrong decisions of the United States Supreme Court that challenge our democratic principles and the republican form of self-government; and

WHEREAS, there is widespread opposition to the Citizens United ruling that money is speech and that independent corporate campaign spending cannot be limited; now, therefore,

BE IT RESOLVED by the Hawai'i State Association of Counties that it hereby requests that the Legislature of the State of Hawai'i urge Hawai'i's congressional delegation to propose and pass an amendment clarifying that corporations are not people with constitutional rights, and that unlimited campaign spending is not free speech.

BE IT FINALLY RESOLVED, that copies of this Resolution be transmitted to each member of the Hawai'i State Legislature, the Governor of the State of Hawai'i, and the Mayors and Chairpersons of the Councils of the Counties of Hawai'i, Kaua'i, and Maui, and the City and County of Honolulu.

Introduced by:

Mel Rapozo, President

Dennis "Fresh" Onishi, Vice President

J. Ikaika Anderson, Secretary

Michael P. Victorino, Treasurer

Date:



CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

**RESOLUTION 16-3**

Introduced: 01/06/16

By: IKAIKA ANDERSON (BR)

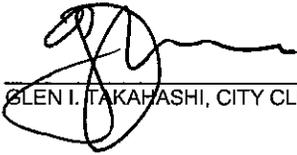
Committee: EXECUTIVE MATTERS  
AND LEGAL AFFAIRS

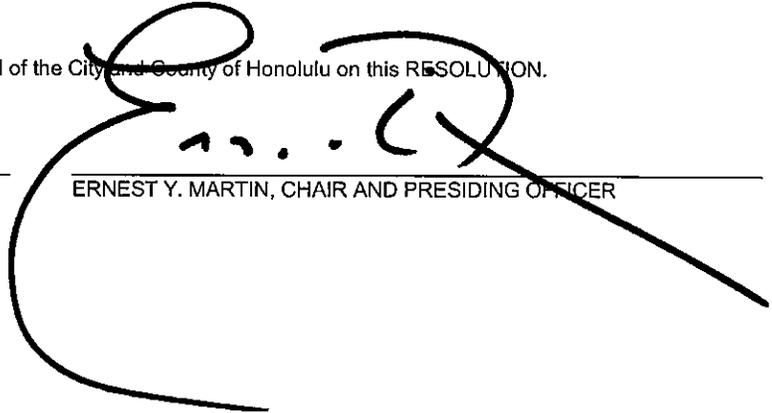
Title: RESOLUTION RELATING TO THE 2016 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE.

Voting Legend: \* = Aye w/Reservations

01/12/16	EXECUTIVE MATTERS AND LEGAL AFFAIRS	CR-1 - RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
01/12/16	SPECIAL COUNCIL	CR-1 AND RESOLUTION 16-3 WERE ADOPTED. 7 AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, MARTIN, MENOR, OZAWA. 2 ABSENT: KOBAYASHI, PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.

  
\_\_\_\_\_  
GLEN I. TAKAHASHI, CITY CLERK

  
\_\_\_\_\_  
ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER