

JAN 18 2008

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# A BILL FOR AN ACT

RELATING TO CIVIL IDENTIFICATION.

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

1           SECTION 1. Chapter 46, Hawaii Revised Statutes, is amended  
2 by adding a new section to be appropriately designated and to  
3 read as follows:

4           "§46-       Civil identification; transfer of functions.

5 Beginning January 1, 2009, the functions, powers, duties, and  
6 authority heretofore exercised by the department of the attorney  
7 general relating to civil identification under chapter 846 shall  
8 be exercised by the counties by adoption of an ordinance. A  
9 county may assess an appropriate fee in accordance with rules  
10 adopted in accordance with chapter 91."

11           SECTION 2. Part II of chapter 846, Hawaii Revised  
12 Statutes, is repealed.

13           SECTION 3. Pursuant to article VIII, section 5 of the  
14 Hawaii State constitution, there is appropriated out of the  
15 general revenues of the State of Hawaii the sum of \$  
16 or so much thereof as may be necessary for fiscal year 2008-2009  
17 for each county for costs of implementation, as follows:



1 City and county of Honolulu \$  
2 County of Maui \$  
3 County of Hawaii \$  
4 County of Kauai \$

5 The sum appropriated shall be allotted by the department of  
6 the attorney general and expended by the respective counties for  
7 the purposes of this Act.

8 SECTION 4. All rights, powers, functions, and duties of  
9 the department of the attorney general are transferred to the  
10 respective counties.

11 All officers and employees whose functions are transferred  
12 by this Act shall be transferred with their functions and shall  
13 continue to perform their regular duties upon their transfer,  
14 subject to the state personnel laws and this Act.

15 No officer or employee of the State having tenure shall  
16 suffer any loss of salary, seniority, prior service credit,  
17 vacation, sick leave, or other employee benefit or privilege as  
18 a consequence of this Act, and such officer or employee may be  
19 transferred or appointed to a civil service position without the  
20 necessity of examination; provided that the officer or employee  
21 possesses the minimum qualifications for the position to which  
22 transferred or appointed; and provided that subsequent changes



1 in status may be made pursuant to applicable civil service and  
2 compensation laws.

3 An officer or employee of the State who does not have  
4 tenure and who may be transferred or appointed to a civil  
5 service position as a consequence of this Act shall become a  
6 civil service employee without the loss of salary, seniority,  
7 prior service credit, vacation, sick leave, or other employee  
8 benefits or privileges and without the necessity of examination;  
9 provided that such officer or employee possesses the minimum  
10 qualifications for the position to which transferred or  
11 appointed.

12 If an office or position held by an officer or employee  
13 having tenure is abolished, the officer or employee shall not  
14 thereby be separated from public employment, but shall remain in  
15 the employment of the State with the same pay and classification  
16 and shall be transferred to some other office or position for  
17 which the officer or employee is eligible under the personnel  
18 laws of the State as determined by the head of the department or  
19 the governor.

20 SECTION 5. All records, equipment, machines, files,  
21 supplies, contracts, books, papers, documents, maps, and other  
22 personal property heretofore made, used, acquired, or held by



1 the department of the attorney general relating to the functions  
2 transferred to the respective county shall be transferred with  
3 the functions to which they relate.

4 SECTION 6. New statutory material is underscored.

5 SECTION 7. This Act shall take effect upon its approval;  
6 provided that section 2 shall take effect on January 1, 2009;  
7 and provided further that section 3 shall take effect on July 1,  
8 2008.

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INTRODUCED BY:

Will Evers  
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**Report Title:**

Civil Identification; Counties; Transfer of Responsibility to Issue

**Description:**

Transfers civil identification function from the attorney general to the counties; makes appropriation.

