

---

---

# A BILL FOR AN ACT

RELATING TO THE ESTABLISHMENT OF THE LIEUTENANT GOVERNOR SPECIAL FUND.

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

1 SECTION 1. Chapter 92, Hawaii Revised Statutes, is amended  
2 by adding a new section to part III to be appropriately  
3 designated and to read as follows:

4 "§92- Lieutenant governor; fees. The lieutenant  
5 governor shall charge the following fees that shall be deposited  
6 into the general fund:

- 7 (1) For signing an apostille or certification, \$10;  
8 (2) For preparing every photostat copy of any document on  
9 record in the lieutenant governor's office, 50 cents  
10 per page or portion thereof; and  
11 (3) For all other acts and duties, the fees for which are  
12 not otherwise provided, such charges as the lieutenant  
13 governor may from time to time prescribe."

14 SECTION 2. Section 26-1, Hawaii Revised Statutes, is  
15 amended by amending subsection (a) to read as follows:

16 "(a) Except as otherwise provided by law, the lieutenant  
17 governor is designated the secretary of state for



1 intergovernmental relations and shall perform the duties and  
2 functions heretofore exercised by the secretary of Hawaii. The  
3 duties and functions shall include, but not be limited to,  
4 recordation of all legislative and gubernatorial acts,  
5 [~~certification~~] apostilles and other certifications of state  
6 documents, and maintenance of an official file of rules adopted  
7 by state departments as provided in chapter 91. The lieutenant  
8 governor may employ staff as necessary without regard to chapter  
9 76."

10 SECTION 3. Section 91-2.5, Hawaii Revised Statutes, is  
11 amended by amending subsection (a) to read as follows:

12 "(a) Notwithstanding any law to the contrary, each agency  
13 may charge up to a maximum fee of ten cents per page, plus the  
14 actual costs of mailing, for the reproduction of paper copies of  
15 the following:

- 16 (1) Proposed and final rules, whether new rules, amended  
17 rules, or repealed rules, in any format; and  
18 (2) Notices of proposed rulemaking actions pursuant to  
19 section 91-3(a)(1).

20 This section shall not apply to the reproduction by the office  
21 of the lieutenant governor of other agencies' rules, kept in the  
22 general collection of the office of the lieutenant governor.



1 Charges for the reproduction of paper copies of rules in the  
2 general collection of the office of the lieutenant governor  
3 shall be as stated in section [~~92-21-~~] 92- .."

4 SECTION 4. The auditor shall examine whether a special  
5 fund established in the office of the lieutenant governor for  
6 the deposit of the fees established in section 1 of this Act and  
7 section 574-5, Hawaii Revised Statutes, would adequately fund  
8 the costs for the administration and operation of the lieutenant  
9 governor's functions under sections 26-1(a) and 574-5, Hawaii  
10 Revised Statutes. The examination shall include an:

- 11 (1) Analysis using the criteria relating to proposed  
12 special funds under section 23-11, Hawaii Revised  
13 Statutes;
- 14 (2) Estimate, on an annual basis, of the projected costs  
15 for the lieutenant governor's functions under sections  
16 26-1(a) and 574-5, Hawaii Revised Statutes, and the  
17 projected revenues from the fees established in  
18 section 1 of this Act and section 574-5, Hawaii  
19 Revised Statutes; and
- 20 (3) Evaluation of whether the estimated costs and fee  
21 revenues described in paragraph (2) indicate that



1           general funds would be needed to supplement the  
2           special fund.

3           The auditor shall report its findings and recommendations,  
4 including any proposed legislation, to the legislature no later  
5 than twenty days prior to the convening of the regular session  
6 of 2012.

7           SECTION 5. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9           SECTION 6. This Act shall take effect on July 1, 2011.



**Report Title:**

Lieutenant Governor; Secretary of State Functions; Fees; Special Fund

**Description:**

Establishes fees for services provided by the office of the lieutenant governor. Specifies the authority of the lieutenant governor to issue apostilles. Requires the auditor to analyze the establishment of a lieutenant governor special fund. (SD1)

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

