

**"CHAPTER 23G  
OFFICE OF THE LEGISLATIVE REFERENCE BUREAU**

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## Cross References

Uniform electronic legal material act, see chapter 98.

### "PART I. OFFICE GENERALLY

#### Note

Part heading added by L Sp 1977 1st, c 8, §4.

**§23G-1 Legislative reference bureau; director, appointment, tenure, removal, compensation, vacancy.** The office of the legislative reference bureau is established. The legislature, by a majority vote of each house in joint session, shall appoint a director for the bureau who shall serve for a period of six years and thereafter until a successor shall have been appointed. The legislature, by two-thirds vote of the members in joint session, may remove or suspend the director from office, but only for neglect of duty, misconduct, or disability.

If the director dies, resigns, becomes ineligible to serve, or is removed or suspended from office, the first assistant to the director shall become the acting director until a new director is appointed.

Effective July 1, 2005, the salary of the director shall be the same as the salary of the director of health. The salary of the director shall not be diminished during the director's term of office, unless by general law applying to all salaried officers of the State. [L 1972, c 171, pt of §2; am L 1975, c 58, §32; am L 1982, c 129, §30(1); gen ch 1985; am L 1986, c 128, §28(1); am L 1989, c 329, §18(1); am L 2005, c 225, §3]

" **§23G-2 Assistant; staff.** (a) The director shall appoint a first assistant and other officers and employees as may be necessary to carry out the functions of the bureau. All employees, including the first assistant, shall be hired by the director and shall serve at the director's pleasure.

(b) In determining the salary of the employees of the bureau, the director shall consult with the department of human resources development; provided that, effective July 1, 2007, the salary of the first assistant shall be not more than ninety-two per cent of the salary of the director.

(c) The director and the director's full-time staff shall be entitled to participate in any employee benefit program plan or privilege. [L 1972, c 171, pt of §2; am L 1982, c 129, §30(2); gen ch 1985; am L 1986, c 128, §28(2); am L 1989, c 329,

§18(2); am L 1994, c 56, §21; am L 2005, c 225, §4; am L 2007, c 63, §2]

- " **§23G-3 General purposes of bureau.** The purpose of the office of the legislative reference bureau shall be to:
- (1) Provide a comprehensive research and reference service on legislative problems for the legislature;
  - (2) Conduct impartial research, including legal research, as may be necessary for the enactment of substantive legislation, upon request by the legislature, legislative committees, or legislators, or on its own initiative;
  - (3) Disseminate its research findings to the legislature on all research projects undertaken upon the request of the legislature or legislative committees;
  - (4) Secure reports of various officers and boards of the State and as far as may be of the states and of the other territories of the United States and such other material, periodicals, or books as will furnish the fullest information practicable upon all matters pertaining to current or proposed legislative problems;
  - (5) Secure information for the legislature, legislative committees, and legislators by cooperating with the legislative reference services in the states and with the legislative service conference maintained by the council of state governments;
  - (6) Maintain a reference library for use by the legislature and legislative service agencies. Subject to the priorities established by the director, reference materials may be made available to the various departments and agencies of the State and the general public;
  - (7) Draft or aid in drafting bills, resolutions, memorials, and amendments thereto, including committee reports, for the legislature, legislative committees, and legislators when requested;
  - (8) Control and maintain the operations of any legislative data processing program as may be established;
  - (9) Serve, upon request, in an advisory capacity to the legislature and its committees on all matters within its competencies and responsibilities;
  - (10) Assist, upon request, legislative service agencies on matters within its competency;

- (11) Perform the function of statute revision and publication of session laws, supplements, and replacement volumes; and
- (12) Maintain the public access room established by chapter 21G. [L 1972, c 171, pt of §2; am L Sp 1977 1st, c 8, §2; am L 1996, c 174, §3]

" **§23G-4 Prohibitions.** Neither the director nor any employee of the bureau shall reveal to any person outside of the bureau the contents of matters of any request or statement for services except upon request of the person making the request or statement. [L 1972, c 171, pt of §2]

" **§23G-5 Annual and other reports to be submitted to legislature; tracking, monitoring, reporting, coordination.** The legislative reference bureau shall develop a system to track and monitor the submission of reports to the legislature by executive agencies and the judiciary. The system shall encompass all annual and other reports required by law to be submitted to the legislature, or requested by legislative resolution. [L 2001, c 231, §3]

## "PART II. STATUTE REVISION AND PUBLICATION

### Note

Uniform electronic legal material act, see chapter 98.

**§23G-11 Revisor of statutes.** The director of the office of the legislative reference bureau, or a member of the staff of the bureau delegated by the director, shall be the revisor of statutes of the State. [L Sp 1977 1st, c 8, pt of §1]

" **§23G-12 Duties.** In performing the function of statute revision and publication of session laws, and supplements, and replacement volumes, the duties of the revisor of statutes, in the order of priority shall be:

- (1) The publication of the session laws;
- (2) The publication of supplements to the revised statutes;
- (3) The publication of replacement volumes of the revised statutes;
- (4) The review of annotations to the revised statutes;
- (5) The continuous revision of the statutes of Hawaii;
- (6) The publication of the Hawaii administrative rules index and supplements thereto; and

- (7) The preparation of rules of format to be followed by all state agencies in the compilation and publication of their rules and the distribution of copies of the format rules to all state agencies. [L Sp 1977 1st, c 8, pt of §1; am L 1979, c 216, §4]

" **§23G-13 Publishing of session laws.** As soon as possible after the close of each session of the legislature, the revisor of statutes shall prepare for publication all laws duly enacted at such session, arranged in the order of their becoming law, together with a suitable index and tables showing what general statutes have been affected by the session laws. [L Sp 1977 1st, c 8, pt of §1]

" **§23G-14 Publication of supplements.** As soon as possible after the close of each regular session of the legislature, the revisor of statutes, subject to section 23G-15, shall prepare for publication a cumulative pocket part supplement to the last revision of the laws of Hawaii. The supplement shall contain all laws of a general and permanent nature enacted at any session of the legislature subsequent to the last revision of the laws and not included therein and a cumulative index of the material. The material in the supplement shall be arranged in the same order as like material is arranged in the last revision, shall show all sections repealed or amended, and shall be annotated to decisions and opinions subsequent to those included in the last revision. [L Sp 1977 1st, c 8, pt of §1]

### **Cross References**

Citation of laws in supplement, see §1-27.

" **§23G-15 Supplements and replacement volumes; extent of revision; prima facie the law.** In preparing the supplements and replacement volumes, the revisor of statutes may:

- (1) Number and renumber chapters, sections, and parts of sections;
- (2) Rearrange sections;
- (3) Change reference numbers to agree with renumbered chapters, parts, or sections;
- (4) Substitute the proper section or chapter numbers for the terms "the preceding section", "this act", and like terms;
- (5) Strike out figures where they are merely a repetition of written words;
- (6) Change capitalization for the purpose of uniformity;
- (7) Correct manifest clerical or typographical errors;

- (8) Change any male or female gender term to a term which is neutral in gender when it is clear that the statute is not applicable only to members of one sex and without altering the sense, meaning, or effect of any act; and
- (9) Make such other changes in any act incorporated in the supplements and replacement volumes as shall be necessary to conform the style thereof as near as may be with that of the last revision of the laws of Hawaii; provided that in making the revision, the revisor shall not alter the sense, meaning, or effect of any act.

The matter set forth in the supplements and replacement volumes shall be prima facie evidence of the law. [L Sp 1977 1st, c 8, pt of §1; am L 1984, c 90, §1]

### **Cross References**

Citation of laws in supplements and replacement volumes, see §1-27.

" **§23G-16 Publication of replacement volumes.** The revisor of statutes may replace and bring up to date the permanent volumes of the revised laws. The revisor of statutes shall incorporate in the replacement volumes all laws enacted by the legislature since the volumes to be replaced were brought up to date. The replacement volumes shall be edited, made up, printed and bound to correspond as nearly as practicable with the present permanent volumes.

The replacement volumes shall be kept up to date by cumulative supplements. [L Sp 1977 1st, c 8, pt of §1]

" **§23G-16.5 Printing of acts to be included in publications.** Whenever, in any act, statutory material to be repealed is bracketed and new material is underscored as a matter of bill drafting style, the revisor, in printing the act in any publication except the Session Laws of Hawaii, need not include the brackets, the bracketed material, or the underscoring. In printing the Session Laws of Hawaii, the revisor shall include the brackets, the bracketed material, and the underscoring, except when the underscoring indicates the addition of a new section of law or when the bracketed material indicates the repeal of a section of law in which case the underscoring and the bracketed material may be omitted. [L 1978, c 80, §1; am L 1982, c 7, §1]

" **§23G-17 Printing; contracts.** The office of the legislative reference bureau shall cause sufficient copies of the session laws, supplements, and replacement volumes to be printed. The bureau may contract for the publications with or without regard to the laws governing public contracts or public printing. The completed volumes of the session laws, supplements, and replacement volumes shall be delivered to the lieutenant governor for distribution. [L Sp 1977 1st, c 8, pt of §1]

" **§23G-18 Sale and distribution.** The session laws, supplements, and replacement volumes shall be sold and distributed by the lieutenant governor at a price fixed by the lieutenant governor. The money received therefor shall be paid into the state treasury to the credit of the general fund. The lieutenant governor may furnish the session laws, supplements, and replacement volumes to public officials for official use free of charge. As used in this chapter, public officials include officials of the state and county governments, of the congressional delegation of the State, of the United States District Court, District of Hawaii, and of the United States Attorney's Office in Hawaii. [L Sp 1977 1st, c 8, pt of §1; am L 1978, c 125, §1; gen ch 1985]

" **§23G-19 Review of annotations.** The revisor of statutes shall examine the annotations to the congressional acts and state statutes in the latest revised laws for the purpose of checking their accuracy and appropriateness and shall make the necessary corrections or other changes. The revised annotations, or appropriate parts thereof, when completed, shall be incorporated in the supplements and replacement volumes to the revisions of the laws of the State. [L Sp 1977 1st, c 8, pt of §1]

" **§23G-20 Continuous statutory revision.** The revisor of statutes shall conduct a systematic and continuing study of the laws of Hawaii for the purpose of reducing their number and bulk, removing inconsistencies, redundancies, unnecessary repetitions and otherwise improving their clarity. For these purposes the revisor shall:

- (1) Prepare and submit to the legislature, prior to each regular session thereof, a report as to defects in the laws and statutes of Hawaii, and draft in the form of bills and resolutions proposed legislation to carry out the recommendations contained in the report;
- (2) Prepare for submission to the legislature, from time to time, a rewriting and revision, either complete,

partial, or topical of the laws of Hawaii. [L Sp 1977  
1st, c 8, pt of §1]

### Case Notes

Revised laws, when enacted, have same validity as any new enactment though from standpoint of interpretation they are construed as continuations of previously existing laws. 283 F.2d 86.

Revised laws may be enacted by a separate short act, and such enactment gives force of law to provisions that may constitutionally be enacted in form contained therein, even if derived from an unconstitutional statute. 17 H. 566; 25 H. 638, 640.

Statutes carried into a revision retained their original effect unless legislative intent to make a change is clear. 23 H. 91, 95; 28 H. 744, 751; 29 H. 820, 824. This is particularly true where statute has been construed before its incorporation into the revision. 23 H. 91, 95. See also 24 H. 258, 262.

Section of revised laws construed by reference to original act though portions of the section as originally enacted omitted from revised laws. 33 H. 915, 916.