

**"CHAPTER 93  
GOVERNMENT PUBLICATIONS**

Part I. State Publications Distribution Center

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## **Cross References**

Uniform electronic legal material act, see chapter 98.

### **"PART I. STATE PUBLICATIONS DISTRIBUTION CENTER**

**§93-1 Establishment of state publications distribution center.** There shall be established within the public library system and under the direction of the state librarian a state publications distribution center for depositing and distributing government publications and for promoting an orderly depository library system for state and county publications. [L 1965, c 175, pt of §2(b); Supp, §13-20; HRS §93-1; am L 1981, c 150, §2]

" **§93-2 Definitions.** "Publication" means informational matter produced for public distribution or access in any tangible medium, originating or produced with the imprint of, by the authority of, or at the total or partial expense of any agency of the State or a county government. "Publication" does not include manuals, calendars, schedules, correspondence, or forms intended strictly for in-house use of governmental agencies, scholarly publications of the University of Hawaii press, and materials developed by the department of education specifically for instructional use with students.

"State and county agency" includes every state, city and county and county office, officer, department, board, commission, and agency, whether in the legislative, executive, or judicial branch. [L 1965, c 175, pt of §2(b); Supp, §13-21; HRS §93-2; am L 2012, c 63, §3]

### **Attorney General Opinions**

"Publication" includes agency administrative rules. Att. Gen. Op. 85-15.

" **§93-3 Deposit of publications.** Upon release of a publication, every state and county agency shall immediately deposit seven copies with the state publications distribution center and one copy with the University of Hawaii. Additional copies of the publications shall be deposited with the publications distribution center upon request of a representative of that center so long as copies are available.

The state librarian may enter into depository agreements with private and public educational, historical, or scientific institutions or other libraries, within or without the State, in order to achieve the objectives sought under this part. [L 1965,

c 175, pt of §2(b); Supp, §13-22; HRS §93-3; am L 1970, c 121, §1; am L 1996, c 10, §1; am L 2012, c 63, §4]

" **§93-4 Depository library system.** The state librarian shall designate at least one government publications depository in each county and shall distribute to each depository one copy of each publication, as defined in this part. [L 1965, c 175, pt of §2(b); Supp, §13-23; HRS §93-4]

" **[§93-4.5] Notification when electronic publications posted.** Every state and county agency shall immediately notify the state publications distribution center with identification and location information for each electronic publication made available on a public networked information system such as the Internet. [L 2012, c 63, §2]

" **§93-5 REPEALED.** L 2012, c 63, §6.

## "PART II. PUBLICATIONS; SPECIFIC PROVISIONS

**§93-11 Disposition of statutes and court reports.** In addition to the copies of Hawaii Revised Statutes and Hawaii reports that may be disposed of by sale, exchange, or presentation to public officers for official use, copies of each volume may be presented to libraries of educational, historical, or scientific institutions or other libraries of a public or quasi-public nature in the State and elsewhere. [L 1907, c 16, §1; am L 1919, c 29, §1; RL 1925, §27; RL 1935, §28; RL 1945, §28; RL 1955, §13-2; HRS §93-11; am L 2012, c 63, §5]

### **Cross References**

Statutes distributed by lieutenant governor, see §23G-18.

" **§93-12 Annual reports.** All annual reports that are or shall be required to be submitted by a state agency to the governor or another state agency, shall be submitted on a fiscal year basis; provided that the governor may prescribe other due dates for annual reports when the fiscal year basis would not be feasible. Further, any law to the contrary notwithstanding, in order to make optimal use of available state government resources, the governor may waive annual report requirements if information included in such reports is available in other

reports and is acceptable for the purpose required or is deemed to be no longer pertinent for program reporting purposes. If there is duplication of information in annual reports within an agency, these annual reports shall be consolidated. In lieu of the submittal of individual annual reports by state departments, agencies, boards, or commissions, the governor may submit a consolidated annual report for the executive branch or direct the consolidation of one or more reports. These provisions shall not preclude the legislature from requesting specific reports through concurrent resolution. [L 1961, c 42, §1; Supp, §7-46; HRS §93-12; am L 1985, c 71, §2]

### **Cross References**

Publication of reports by department of taxation, see §231-3.4.

" **§93-15 Legislative journals; sale and distribution.** Each house of the legislature shall be responsible for the publication, sale, and distribution of their respective legislative journals. The speaker of the house of representatives and the senate president shall:

- (1) Fix the price of their respective legislative journals; and
- (2) Determine who shall receive their respective legislative journals free of charge.

The money received from the sale of the legislative journals may be used by the respective houses of the legislature to defray any and all expenses of the respective houses. [L 1984, c 133, §1; am L 2003, c 28, §1]

" **[§93-16] Publication and distribution of reports.** (a) Notwithstanding any other statute, law, charter provision, ordinance, or rule to the contrary, whenever a government agency is required to submit a report to the legislature, the report shall be:

- (1) Available in printed form;
- (2) Submitted in printed form to the president of the senate, the speaker of the house of representatives, and the legislative reference bureau library; and
- (3) Posted on the designated central State of Hawaii website; or
- (4) Posted on the Internet in an easily-located manner.

(b) If a government agency submits a report to the legislature that is a consolidation of reports mandated by law of that agency or other agencies that are administratively attached to the government agency submitting the consolidated

report, then the agency submitting the consolidated report shall include:

- (1) A listing of each mandated report that is being included in the consolidated report; and
  - (2) The specific time period covered by the particular government agency's report if different from the time period covered by the consolidated report.
- (c) For purposes of this section, "government agency" means the judiciary and each department, board, commission, or officer of the State or any of its political subdivisions. [L 2001, c 231, §2]

#### **Revision Note**

Section was enacted as an addition to chapter 1 but is renumbered to this chapter pursuant to §23G-15.