

ACT 87

An Act Amending Section 5-44 and Section 5-45 of the Revised Laws of Hawaii 1955, as Amended, Relating to Leave of Officers and Employees on Loan to Other Governments.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 5-44 of the Revised Laws of Hawaii 1955 is hereby amended to read as follows :

“Section 5-44. Leave for officers or employees on loan to other governments; retention of rights. Notwithstanding the limitations of any other law to the contrary, upon the request of the governor of American Samoa, the governor of Guam, or the High Commissioner of the Trust Territory, the Federal Government by any of its duly authorized representatives or agencies, or the United Nations by its duly authorized official or representative, for the services on a loan basis of any particular officer or employee of the State of Hawaii, or of any of the counties, the governor of the State of Hawaii, or the mayor of the city and county of Honolulu, or the chairman of the board of supervisors of any of the other counties or the chairman of an independent board or commission having charge of its own funds, may grant to any such officer or employee who desires to participate in any such employment loan program and who has submitted a written application therefor, a leave of absence to be employed by such requesting government for a period not to exceed two years. Such officer or employee, while serving such other government on a loan basis during his leave of absence, shall retain membership and all rights in the classified service and in the employees' retirement system of the State of Hawaii as though he had remained in the service of the State or of any county thereunder, provided, that he return to his former position within ninety days after the termination of his contract with such other government. Upon his return from the loan to state or

county employment, as the case may be, he shall be reinstated to the position he left and shall be entitled to such compensation as he would have then been entitled had he remained in the service of the State or any county thereunder.

“No officer or employee participating in such loan program shall hold the State of Hawaii or any of the counties under the State liable for any compensation for work performed for another government while on loan from the state during such leave of absence, nor for any transportation costs incurred in proceeding to and returning from the loan employment destination.”

SECTION 2. Section 5-45 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding thereto a new sentence, at the end thereof, reading as follows:

“The term ‘employee,’ wherever it appears in this section, includes the holder of an appointive office.”

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

(Approved May 23, 1961.) **S.B. 42.**
