

ACT 171

S. B. NO. 1970-72

A Bill for an Act Relating to Legislative Support.

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

SECTION 1. The purpose of this Act is to establish an office of the legislative reference bureau under the legislature and to (1) transfer the legislative reference bureau functions from the University of Hawaii to the newly created office of the legislative reference bureau and (2) place within the newly created office of the legislative reference bureau for administrative purposes only the office of the revisor of statutes.

SECTION 2. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

“CHAPTER
OFFICE OF THE LEGISLATIVE REFERENCE BUREAU

Sec. -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.

The salary of the director shall be the same as the salary of the circuit court judges. The compensation of the director shall not be diminished during his term of office, unless by general law applying to all salaried officers of the State.

Sec. -2 Assistant, staff. The director shall appoint a first assistant and such 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 his pleasure. In determining the salary of the employees of the bureau, the director shall consult with the department of personnel services; provided that the salary of the first assistant shall not exceed the sum equal to ninety-five per cent of the salary of the director. The director and his full-time staff shall be entitled to participate in any employee benefit program plan or privilege.

Sec. -3 General purposes of bureau. The purpose of the office of the legislative reference bureau shall be:

- (1) To provide a comprehensive research and reference service on legislative problems for the legislature;
- (2) To conduct impartial research, including legal research, as may be necessary for the enactment of substantive legislation, upon request by the legislature, legislative committee or legislator, or on its own initiative;
- (3) To disseminate its research findings to the legislature on all research projects undertaken upon the request of the legislature or legislative committee;
- (4) To 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) To 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) To 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 by the general public.
- (7) To draft or aid in drafting bills, resolutions, memorials, and amendments thereto, including committee reports, for the legislature, legislative committee and legislators when requested;
- (8) To control and maintain the operations of any legislative data processing program as may be established.
- (9) To serve, upon request, in an advisory capacity to the legislature and its committees on all matters within its competencies and responsibilities; and
- (10) To assist, upon request, legislative service agencies on matters within its competency."

Sec. -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.

SECTION 3. Section 2-1, Hawaii Revised Statutes, is amended to read as follows:

"Sec. 2-1 Office of revisor of statutes. There shall be within the office of the legislative reference bureau for administrative purposes only an office of revisor of statutes. The office of the revisor of statutes shall consist of a revisor and such technical, clerical, and stenographic personnel as necessary to expeditiously and efficiently discharge the duties imposed by this chapter."

SECTION 4. Part II.B., chapter 304, Hawaii Revised Statutes, is repealed.

SECTION 5. The functions of the legislative reference bureau are transferred to the office of the legislative reference bureau established by this Act as of the effective date of this Act.

SECTION 6. All officers and employees having tenure and whose functions are transferred by this Act shall, with the same pay and classification, be transferred to some other office or position within the University of Hawaii for which such officer or employee is eligible under the applicable personnel laws of the University of Hawaii as determined by the president of the university. Such officers and employees shall not suffer any loss of salary, seniority, prior service credit, vacation, sick leave or other employee benefit or privilege as a consequence of this Act; provided that subsequent changes in status may be made pursuant to chapters 76 and 77, section 304-11 and 304-13, Hawaii Revised Statutes.

SECTION 7. Pending the appointment of a director by the legislature as provided by this Act, the present director and assistant director of the legislative reference bureau of the University of Hawaii shall serve as acting director and assistant director of the bureau established by this Act. They shall discharge the duties and functions of the office and enjoy the privileges attendant thereto until a director is appointed by the legislature.

SECTION 8. Any law to the contrary notwithstanding, all monies appropriated by the Sixth Legislature, Regular Session of 1972, to the University of Hawaii for the use of the legislative reference bureau and the appropriated and unexpended funds in the biennium budget for the fiscal years beginning July 1, 1971 and ending on June 30, 1973 for the legislative reference bureau shall be transferred from the University of Hawaii to the office of the legislative reference bureau established by this Act.

SECTION 9. All records, equipment, machines, files, supplies, contracts, books, papers, documents, maps, and other personal property heretofore made, used, acquired or held by the legislative reference bureau shall be transferred from the University of Hawaii to the office of the legislative reference bureau established by this Act, without cost to the legislature or reimbursement to the State, and without compliance with the disposal procedures or requirements, any law to the contrary notwithstanding.

SECTION 10. The office of the legislative reference bureau established by this Act shall succeed to all the rights and powers exercised, and all of the duties and obligations exercised under contracts executed by the University of Hawaii in the exercise of the functions transferred.

SECTION 11. No officer or employee shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave or other employee benefit or privilege as a consequence of section 3 of this Act; provided that subsequent changes in status of civil service employees may be made pursuant to chapters 76 and 77 of the Hawaii Revised Statutes.

SECTION 12. Any law to the contrary notwithstanding, the appropriated and unexpended funds in the biennium budget, for the fiscal years beginning July 1, 1971 and ending on June 30, 1973, for the office of the revisor of statutes shall be transferred from the judiciary to the office of the legislative reference bureau for the use of the office of the revisor of statutes.

SECTION 13. All records, equipment, machines, files, supplies, books, papers, documents, maps, and other personal property heretofore made, used, acquired or held by the office of the revisor of statutes shall be transferred from the judiciary to the office of the legislative reference bureau for the use of the office of the revisor of statutes, without cost, and without compliance with any disposal procedures or requirements, any law to the contrary notwithstanding.

SECTION 14. The judiciary shall provide suitable quarters for the office of the revisor of statutes, without the payment of rental or other charges, until the legislature provides permanent facilities for the revisor and his staff.

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SECTION 15. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material or the underscoring.*

SECTION 16. This Act, upon its approval, shall take effect on July 1, 1972.

(Approved June 1, 1972.)

*Edited accordingly.