

ACT 193

H.B. NO. 2278

A Bill for an Act Relating to the Hawaii Criminal Justice Commission.

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

SECTION 1. Section 843-1, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Commencing on July 1, [1987,] 1988, there is established within the department of [corrections,] the attorney general, for administrative purposes only, the Hawaii criminal justice commission. This commission shall have its existence terminated, if not renewed by the legislature, on June 30, [1988.] 1994.”

SECTION 2. Section 843-3, Hawaii Revised Statutes, is amended to read as follows:

“**§843-3 Commission, functions.** The commission shall have the following functions and shall perform the following duties:

- (1) Research, evaluate, and make recommendations regarding the criminal justice system; and
- (2) Develop, recommend, and implement public education programs relating to the criminal justice system.]
- (1) Provide a mechanism for citizen and community input into governmental activities with regard to crime prevention and reduction;
- (2) Develop statewide crime prevention programs and activities;
- (3) Develop public education programs through various media to provide citizens with the knowledge and confidence to prevent crime and to avoid becoming a victim of crime;
- (4) Provide statewide training programs for law enforcement agencies, citizens, businesses, and civic groups in areas of crime prevention;
- (5) Assist in the organization of crime prevention teams in communities to encourage the development of community crime prevention programs;
- (6) Establish, as necessary, citizen and government task forces to study high priority crime problems that affect the entire State and to make recommendations for future action;
- (7) Establish a center for public safety at which citizens, criminal justice agencies, businesses, and civic groups can be educated about, be trained in, and gather information on crime prevention;

- (8) Act as a clearinghouse for crime prevention information; and
(9) Establish a communication network among criminal justice agencies to foster statewide cooperation and planning."

SECTION 3. (a) All rights, powers, functions, and duties of the department of corrections relating to the Hawaii criminal justice commission are transferred to the department of the attorney general.

All officers and employees whose functions are transferred by this Act shall be transferred with their functions and shall continue to perform their regular duties upon their transfer, subject to the state personnel laws and this Act.

No officer or employee of the State having tenure shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefit or privilege as a consequence of this Act, and such officer or employee may be transferred or appointed to a civil service position without the necessity of examination; provided that the officer or employee possesses the minimum qualifications for the position to which transferred or appointed; and provided that subsequent changes in status may be made pursuant to applicable civil service and compensation laws.

An officer or employee of the State who does not have tenure and who may be transferred or appointed to a civil service position as a consequence of this Act shall become a civil service employee without the loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefits or privileges and without the necessity of examination; provided that such officer or employee possesses the minimum qualifications for the position to which transferred or appointed.

In the event that an office or position held by an officer or employee having tenure is abolished, the officer or employee shall not thereby be separated from public employment, but shall remain in the employment of the State with the same pay and classification and shall be transferred to some other office or position for which the officer or employee is eligible under the personal laws of the State as determined by the head of the department or the governor.

(b) All appropriations, records, equipment, machines, files, supplies, contracts, books, papers, documents, maps, and other personal property heretofore made, used, acquired, or held by the department of corrections relating to the functions transferred to the department of the attorney general shall be transferred with the functions to which they relate.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$442,028, or so much thereof as may be necessary for fiscal year 1988-1989, to the Hawaii criminal justice commission. The sum appropriated shall be expended by the department of the attorney general for the purposes of this Act.

SECTION 5. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 6. This Act shall take effect on July 1, 1988.

(Approved June 7, 1988.)