

ACT 123

S. B. NO. 757

A Bill for an Act Relating to the Subversive Activities Commission.

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

SECTION 1. The fifth paragraph of section 26-7 and chapter 131 of the Hawaii Revised Statutes are repealed.

SECTION 2. Chapter 28 of the Hawaii Revised Statutes is amended by adding a new paragraph to be appropriately numbered and to read as follows:

“Sec. 28- . Review of personal history statements. The attorney general may, on a confidential basis, receive and review personal history statements submitted to the department of personnel services as provided for in section 85-10 of the Hawaii Revised Statutes.”

SECTION 3. Chapter 85 of the Hawaii Revised Statutes is amended in the following respects:

- (1) By deleting item 2 of section 85-1.
- (2) By amending section 85-10 to read as follows:

“Sec. 85-10. Investigation. On a confidential basis, the attorney general, on request, shall receive from the department of personnel services any personal history statement submitted pursuant to this part. Where the statement reveals derogatory information indicating that the loyalty of a registrant is possibly in doubt, or where similar information is received by the attorney general from any other source, he may initiate such investigative action as in his judgment appears warranted. After having finished his analysis and evaluation of a personal history statement, the attorney general shall return the statement to the custody of the department of personnel services.”

(3) By substituting in sections 85-6, 85-11, 85-12, 85-13 and 85-19 the words “attorney general” for the words “commission on subversive activities” or “commission” or words of like import and by substituting the words “he,” or “his” or words of like import for the words “it” or “its” when referring to the commission on subversive activities.

SECTION 4. All employees of the commission on subversive activities shall be transferred to the department of the attorney general and shall become civil service employees without loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefits or privileges and without the necessity of examination; provided, that any such position once becoming vacant shall not be filled.

SECTION 5. All records, equipment, files, supplies, contracts, books, papers, documents, maps, appropriations, and other property made prior to or after the passage of this Act of or to the commission on subversive activities shall be transferred to the department of the attorney general.

SECTION 6. All acts passed during this regular session of 1969, whether enacted before or after the passage of this Act shall be amended to conform to this Act, unless such acts specifically provide that this bill or Act is being amended.

SECTION 7. This Act shall take effect upon its approval.

(Approved June 24, 1969.)