

ACT 8

H.B. NO. 15

A Bill for an Act Relating to the Office of Revisor of Statutes.

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

SECTION 1. A new part is added to chapter 23G, Hawaii Revised Statutes, to read:

“PART II. STATUTE REVISION AND PUBLICATION

Sec. 23G-11 Revisor of statutes. The director of the office of the legislative reference bureau, or a member of the staff of the bureau delegated by the director, shall be the revisor of statutes of the State.

Sec. 23G-12 Duties. In performing the function of statute revision and publication of session laws, and supplements, and replacement volumes, the duties of the revisor of statutes, in order of priority shall be:

- (1) The publication of the session laws;

- (2) The publication of supplements to the revised statutes;
- (3) The publication of replacement volumes of the revised statutes;
- (4) The review of annotations to the revised statutes; and
- (5) The continuous revision of the statutes of Hawaii.

Sec. 23G-13 Publishing of session laws. As soon as possible after the close of each session of the legislature, the revisor of statutes shall prepare for publication all laws duly enacted at such session, arranged in the order of their becoming law, together with a suitable index and tables showing what general statutes have been affected by the session laws.

Sec. 23G-14 Publication of supplements. As soon as possible after the close of each regular session of the legislature, the revisor of statutes, subject to section 23G-15, shall prepare for publication a cumulative pocket part supplement to the last revision of the laws of Hawaii. The supplement shall contain all laws of a general and permanent nature enacted at any session of the legislature subsequent to the last revision of the laws and not included therein and a cumulative index of the material. The material in the supplement shall be arranged in the same order as like material is arranged in the last revision, shall show all sections repealed or amended, and shall be annotated to decisions and opinions subsequent to those included in the last revision.

Sec. 23G-15 Supplements and replacement volumes; extent of revision; prima facie the law. In preparing the supplements and replacement volumes, the revisor of statutes may:

- (1) Number and renumber chapters, sections, and parts of sections;
- (2) Rearrange sections;
- (3) Change reference numbers to agree with renumbered chapters, parts or sections;
- (4) Substitute the proper section or chapter numbers for the terms "the preceding section", "this act", and like terms;
- (5) Strike out figures where they are merely a repetition of written words;
- (6) Change capitalization for the purpose of uniformity;
- (7) Correct manifest clerical or typographical errors; and
- (8) Make such other changes in any act incorporated in the supplements and replacement volumes as shall be necessary to conform the style thereof as near as may be with that of the last revision of the laws of Hawaii; provided that in making the revision, he shall not alter the sense, meaning, or effect of any act.

The matter set forth in the supplements and replacement volumes shall be prima facie evidence of the law.

Sec. 23G-16 Publication of replacement volumes. The revisor of statutes may replace and bring up to date the permanent volumes of the revised laws. The revisor of statutes shall incorporate in the replacement volumes all laws enacted by the legislature since the volumes to be replaced were brought up to date. The replacement volumes shall be edited, made up, printed and bound to correspond as nearly as practicable with the present permanent volumes.

The replacement volumes shall be kept up to date by cumulative supplements.

Sec. 23G-17 Printing; contracts. The office of the legislative reference bureau shall cause sufficient copies of the session laws, supplements, and replacement volumes to be printed. The bureau may contract for the publications with or without regard to the laws governing public contracts or public printing. The completed volumes of the session laws, supplements, and replacement volumes shall be delivered to the lieutenant governor for distribution.

Sec. 23G-18 Sale and distribution. The session laws, supplements, and replacement volumes shall be sold and distributed by the lieutenant governor at a price fixed by him. The money received therefor shall be paid into the state treasury to the credit of the general fund. The lieutenant governor may furnish the session laws, supplements, and replacement volumes to public officials for official use free of charge.

Sec. 23G-19 Review of annotations. The revisor of statutes shall examine the annotations to the congressional acts and state statutes in the latest revised laws for the purpose of checking their accuracy and appropriateness and shall make the necessary corrections or other changes. The revised annotations, or appropriate parts thereof, when completed, shall be incorporated in the supplements and replacement volumes to the revisions of the laws of the State.

Sec. 23G-20 Continous statutory revision. The revisor of statutes shall conduct a systematic and continuing study of the laws of Hawaii for the purpose of reducing their number and bulk, removing inconsistencies, redundancies, unnecessary repetitions and otherwise improving their clarity. For these purposes the revisor shall:

- (1) Prepare and submit to the legislature, prior to each regular session thereof, a report as to defects in the laws and statutes of Hawaii, and draft in the form of bills and resolutions proposed legislation to carry out the recommendations contained in the report;
- (2) Prepare for submission to the legislature, from time to time, a rewriting and revision, either complete, partial, or topical of the laws of Hawaii."

SECTION 2. Section 23G-3, Hawaii Revised Statutes, is amended to read:

"Sec. 23G-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 committees, or legislators, 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 committees;
- (4) To secure reports of various officers and boards of the State 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 the general public;
 - (7) To draft or aid in drafting bills, resolutions, memorials, and amendments thereto, including committee reports, for the legislature, legislative committees, 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;
 - (10) To assist, upon request, legislative service agencies on matters within its competency; and
 - (11) To perform the function of statute revision and publication of session laws, supplements, and replacement volumes."

SECTION 3. Chapter 2, Hawaii Revised Statutes is repealed.

SECTION 44. Sections 23G-1 through 23G-4, Hawaii Revised Statutes, shall constitute part I of chapter 23G. Part I shall be titled "Office Generally".

SECTION 5. The functions of the office of the revisor of statutes are transferred to the office of the legislative reference bureau.

SECTION 6. All employees of the office of the revisor of statutes not subject to chapters 76 and 77, Hawaii Revised Statutes, are transferred to comparable positions within the office of the legislative reference bureau; provided, that no employee shall suffer any loss of salary, prior service credit, vacation, sick leave, or other employee benefit or privilege, as a consequence of the transfer.

SECTION 7. All employees of the office of revisor of statutes subject to chapters 76 and 77, Hawaii Revised Statutes, shall, with the same pay and classification, be transferred to positions within the judiciary for which they are eligible under the applicable personnel laws of the State, without any loss of seniority, prior service credit, vacation, sick leave, or other employee benefit or privilege, and subsequent changes in statutes may be made pursuant to chapters 76 and 77, Hawaii Revised Statutes. Any employee of the office of revisor of statutes subject to chapters 76 and 77, Hawaii Revised Statutes, may elect to transfer to the office of the legislative reference bureau. If an employee elects to transfer to the bureau, the employee shall not thereafter be subject to chapters 76 and 77, Hawaii Revised Statutes, but the employee shall suffer no loss of salary, prior service credit, vacation, sick leave, or other employee benefit or privilege as a consequence of the transfer.

SECTION 8. Wherever in the Hawaii Revised Statutes the term "office of the revisor of statutes", or "office of the revisor", or any similar term appears, the term is amended to read "office of the legislative reference bureau", "legislative reference bureau", or "bureau" as appropriate.

SECTION 9. There is appropriated out of the general revenues of the State of Hawaii the sum of \$20,000, or so much thereof as may be necessary, to carry out the purposes of this Act. The sum appropriated shall be expended by the legislative reference bureau.

SECTION 10. 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 11. This Act shall take effect on July 1, 1977.

(Approved June 16, 1977.)

*Edited accordingly.