

ACT 52

H.B. NO. 813

A Bill for an Act Relating to Leaves for Officers or Employees on Loan to Other Governments.

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

SECTION 1. Section 79-17, Hawaii Revised Statutes, is amended to read as follows:

**“Section 79-17 Leave for officers or employees on loan to other governments or for government programs administered by private or public agencies; 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 by the director of the Hawaii Office of Economic Opportunity for any program related

to the Economic Opportunity Act of 1964, 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, or of any of the counties, the governor, 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 officer or employee who has attained tenure or permanent status, who desires to participate in any 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. The officer or employee, while serving the other government on a loan basis during his leave of absence, shall retain membership and all rights in the [classified] public service and in the employees' retirement system 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 the 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 the loan program shall hold the State or any of counties under the State liable for any compensation for work performed for another government while on loan from the State during the leave of absence, nor for any transportation costs incurred in proceeding to and returning from the loan employment destination."

SECTION 2. 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 3. This Act shall take effect upon its approval.

(Approved May 6, 1977.)