

JAN 25 2006

A BILL FOR AN ACT

RELATING TO EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. After extensive deliberation, the interagency
2 working group, which was established pursuant to part VIII of
3 Act 51, Session Laws of Hawaii 2004, the Reinventing Education
4 Act of 2004, has recommended that the transfer of functions from
5 the department of human services to the department of education
6 relating to employment background checks be repealed.

7 SECTION 2. Act 51, Session Laws of Hawaii 2004, is amended
8 by amending sections 47 and 48 to read as follows:

9 "SECTION 47. (a) All the rights, powers, functions,
10 duties, and resources of:

11 (1) The department of budget and finance relating to the:

12 (A) Funding of collective bargaining agreement
13 increases; and

14 (B) Securing, administering, use, and expending of
15 federal funds and other aid, including their
16 custodial supervision;

17 (2) The department of the attorney general relating to:



1 (A) The negotiating of workers' compensation claims;
2 and

3 (B) Labor-management relations within the department
4 of education;

5 ~~[(3) The department of human services relating to the
6 conducting of employment background checks for the
7 after-school plus program, private vendors, and other
8 employees and trainees who work with public school
9 students; and~~

10 ~~(4)]~~ (3) The department of health relating to school
11 health aides and public health nurses who supervise
12 school health aides;

13 are transferred to the department of education effective July 1,
14 2006, subject to repeal by subsequent legislation.

15 (b) All moneys budgeted in support of each position to be
16 transferred to the department of education, including moneys for
17 direct and indirect employee benefits, are transferred to the
18 department of education effective July 1, 2006, subject to
19 repeal by subsequent legislation.

20 SECTION 48. All resources, appropriations, records,
21 equipment, databases, software, programming, machines, files,
22 supplies, contracts, books, papers, documents, maps, and other

1 personal property heretofore made, used, acquired, or held by
 2 the department of accounting and general services, department of
 3 budget and finance, [~~department of human services,~~] and
 4 department of health relating to the functions transferred to
 5 the department of education shall be transferred with the
 6 functions to which they relate."

7 SECTION 3. Statutory material to be repealed is bracketed
 8 and stricken. New statutory material is underscored.

9 SECTION 4. This Act shall take effect on June 29, 2006.

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Report Title:

Education; Act 51; Employment Background Checks

Description:

Repeals the transfer of functions from the department of human services to the department of education regarding employment background checks specified in Act 51, Session Laws of Hawaii 2004.

