S.B. NO. 95

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A BILL FOR AN ACT

RELATING TO VACANT POSITIONS IN THE DEPARTMENT OF EDUCATION.

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

1 SECTION 1. As a result of implementing Act 51, Session Laws of Hawaii 2004, as amended by Act 221, Session Laws of 2 3 Hawaii 2004, as amended by Act 225, Session Laws of Hawaii 2006, 4 section 302A-115, Hawaii Revised Statutes, is no longer required 5 to provide flexibility to the department of education. Under 6 Act 51, as amended, the number and kind of positions at the 7 school level is determined by the individual school due to the 8 implementation of the weighted student formula. Act 51 also 9 provides the department of education with the authority to 10 transfer positions within the department, and with the transfer 11 of functions from the department of human resources development, 12 the department of education carries out personnel functions as a 13 separate jurisdiction. Accordingly, the purpose of this Act is 14 to repeal section 302A-1115, Hawaii Revised Statutes.

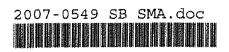
15 SECTION 2. Section 302A-1115, Hawaii Revised Statutes, is 16 repealed.



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1	[" [§3	02A-1115] Reallo	cation of vacant positions.	-(a) To	
2	promote d	ecentralization a	nd facilitate restructuring	of the	
3	department, the department of education, without regard to the				
4	position variance requirements of the department of budget and				
5	finance, may:				
6	(1) -	Reallocate exist	ing vacant positions through	out the	
7		department;			
8	(2)	Directly authori	ze and implement internal		
9		reorganization a	ctions;		
10	(3)	Reassign employe	e-duties;		
11	-(4)-	Authorize positi	on classifications; and		
12	(5)	Conduct recruitm	ent;		
13	provided that any action taken pursuant to this section shall be				
14	to redirect resources from the state and district offices to the				
15	individual schools and learning support centers.				
16	(b)	The governor, th	e-department-of-human-resour	ees	
17	development, and the department of budget and finance shall				
18	facilita t	e, expedite, and	assist the department of edu	acation in	
19	the implementation of its decentralization and staffing				
20	reallocat	ions plan.			



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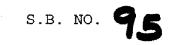
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1	(c) The department of education shall submit an annual				
2	report of reallocations to the department of budget and finance				
3	by December 31 of each year."]				
4	SECTION 3. Statutory material to be repealed is bracketed				
5	and stricken.				
6	SECTION 4. This Act shall take effect July 1, 2007.				
7	INTRODUCED BY: Normon Satomito				
	Jum				

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Report Title:

Vacant Positions in the Department of Education

Description:

Repeals provisions relating to vacant positions that are no longer needed due to Act 51, Session Laws of Hawaii 2004.

