

JAN 18 2007

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
2 Laws of Hawaii 2004, as amended by Act 221, Session Laws of
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16 repealed.



1 ~~["§ 302A-1115] Reallocation of vacant positions. (a) To~~
2 ~~promote decentralization and 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 existing vacant positions throughout the~~
7 ~~department;~~
8 ~~(2) Directly authorize and implement internal~~
9 ~~reorganization actions;~~
10 ~~(3) Reassign employee duties;~~
11 ~~(4) Authorize position classifications; and~~
12 ~~(5) Conduct recruitment;~~

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, the department of human resources~~
17 ~~development, and the department of budget and finance shall~~
18 ~~facilitate, expedite, and assist the department of education in~~
19 ~~the implementation of its decentralization and staffing~~
20 ~~reallocations plan.~~



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 Statutory material to be repealed is bracketed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.

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INTRODUCED BY: Norman Sakuma
Jim

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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.

