

JAN 28 2009

A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF PUBLIC SAFETY.

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

1 SECTION 1. **Administrative structure; intake and reentry**

2 **division established.** (a) There is established within the
3 department of public safety, among other administratively
4 established divisions, an intake and reentry division, to:

5 (1) Process admissions of persons committed to the care
6 and custody of the director of public safety;

7 (2) Provide rehabilitative services to committed persons;
8 and

9 (3) Prepare committed persons for release into the
10 community.

11 (b) For purposes of subsection (a), the intake and reentry
12 division shall administer the following programs and services:

13 (1) Intake services centers under section 353-10, Hawaii
14 Revised Statutes;

15 (2) Correctional programs, including but not limited to,
16 educational services, library services, food services,
17 substance abuse treatment services, sex offender



1 treatment services, volunteer services, and other
2 functions under section 353-6(3), (4), and (5), Hawaii
3 Revised Statutes;

4 (3) Hawaii correctional industries under chapter 354D,
5 Hawaii Revised Statutes; and

6 (4) Work furlough programs and conditional release
7 programs as provided under section 353-8, Hawaii
8 Revised Statutes, that are located at the Oahu
9 community correctional center.

10 SECTION 2. (a) The department of public safety shall
11 implement the administrative structure under section 1 of this
12 Act no later than January 1, 2010.

13 (b) For purposes of this Act, the department of public
14 safety shall utilize budget funding for the 2009-2010 fiscal
15 year, without further appropriations for new positions.

16 SECTION 3. The department of public safety shall report to
17 the legislature no later than January 15, 2010, on the
18 implementation of the newly created administrative structure
19 under section 1 of this Act.

20 SECTION 4. All rights, powers, functions, and duties of
21 the existing affected divisions of the department of public



1 safety are transferred to the division of intake and reentry
2 pursuant to this Act.

3 All officers and employees whose functions are transferred
4 by this Act shall be transferred with their functions and shall
5 continue to perform their regular duties upon their transfer,
6 subject to the state personnel laws and this Act.

7 No officer or employee of the State having tenure shall
8 suffer any loss of salary, seniority, prior service credit,
9 vacation, sick leave, or other employee benefit or privilege as
10 a consequence of this Act, and the officer or employee may be
11 transferred or appointed to a civil service position without the
12 necessity of examination; provided that the officer or employee
13 possesses the minimum qualifications for the position to which
14 transferred or appointed; and provided that subsequent changes
15 in status may be made pursuant to applicable civil service and
16 compensation laws.

17 An officer or employee of the State who does not have
18 tenure and who may be transferred or appointed to a civil
19 service position as a consequence of this Act shall become a
20 civil service employee without the loss of salary, seniority,
21 prior service credit, vacation, sick leave, or other employee
22 benefits or privileges and without the necessity of examination;



1 provided that the officer or employee possesses the minimum
2 qualifications for the position to which transferred or
3 appointed.

4 If an office or position held by an officer or employee
5 having tenure is abolished, the officer or employee shall not
6 thereby be separated from public employment, but shall remain in
7 the employment of the State with the same pay and classification
8 and shall be transferred to some other office or position for
9 which the officer or employee is eligible under the personnel
10 laws of the State as determined by the head of the department or
11 the governor.

12 SECTION 5. This Act shall take effect on July 1, 2009.

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INTRODUCED BY:

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Report Title:

Public Safety; Department Reorganization; Intake and Reentry
Division

Description:

Creates a new intake and reentry division within the department of public safety to house the existing intake services center, correctional program services, correctional industries, and, at the Oahu community correctional center, work furlough programs.

