

JAN 20 2010

S.B. NO. 2178

A BILL FOR AN ACT

RELATING TO COUNTIES.

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

1 SECTION 1. Article VIII, section 2, of the Hawaii
2 constitution states, in relevant part, that, "Each political
3 subdivision shall have the power to frame and adopt a charter
4 for its own self-government within such limits and under such
5 procedures as may be provided by general law. ... Charter
6 provisions with respect to a political subdivision's executive,
7 legislative and administrative structure and organization shall
8 be superior to statutory provisions, subject to the authority of
9 the legislature to enact general laws allocating and
10 reallocating powers and functions."

11 The purpose of this Act is to allow the counties the
12 authority to determine appropriate appointment and removal
13 procedures for county personnel directors pursuant to each
14 county's charter. The Legislature finds that the grant of such
15 authority is within the purview of the counties' executive and
16 administrative structure and organization, and is therefore
17 supported by and consistent with the principle of county self-



1 governance established in article VIII, section 2 of the Hawaii
2 constitution.

3 SECTION 2. Section 76-75, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§76-75 Personnel director. [The] Either the merit
6 appeals board or the mayor of each county, as prescribed by the
7 charter of each county, shall appoint and may at pleasure remove
8 a personnel director, who shall be the chief administrative
9 officer of the department of civil service. The director
10 [shall], at the time of the director's appointment, and
11 thereafter, shall be thoroughly familiar with the principles and
12 methods of personnel administration and shall believe in
13 applying merit principles and scientific administrative methods
14 to public personnel administration."

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.

18

INTRODUCED BY: _____
BY REQUEST

Report Title:

Civil Service Law; Counties; Personnel Director

Description:

Amends law to allow the personnel directors of Kauai, Maui, and Hawaii counties to be appointed and removed by either the merit appeals board or mayor of the county.

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