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# A BILL FOR AN ACT

RELATING TO EMPLOYMENT VACANCIES.

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

1           SECTION 1. Hawaii has felt the adverse impacts of national  
2 and global economies that have seen rising unemployment.  
3 Hawaii's unemployment rate was six and a half per cent in  
4 November 2011. In contrast to this high level of unemployment,  
5 there remain over three thousand vacancies among state job  
6 positions. Some positions have been vacant for decades. The  
7 average vacant state position has been unfilled for a mean  
8 length of about nine hundred forty days and a median length of  
9 about seven hundred forty-six days. Over forty-eight thousand  
10 individuals are employed with the State.

11           The State recognizes that maintaining a job position that  
12 may never be filled is an inefficient use of funds, time, and  
13 human resources.

14           The purpose of this Act is to help encourage state agencies  
15 to hire qualified applicants in a timely manner, and to  
16 eliminate unnecessary positions by requiring state agencies to  
17 fill positions within ten years after a vacancy.



1 SECTION 2. Chapter 37, Hawaii Revised Statutes, is amended  
2 by adding a new section to be appropriately designated and to  
3 read as follows:

4 "§37- Job vacancy elimination. (a) A state agency  
5 shall inform the director of finance of any position in the  
6 state agency that has remained vacant for a continuous period of  
7 at least ten years by including a report on the position in the  
8 estimate of expenses submitted to the director of finance under  
9 section 37-34. The director of finance may consider the vacancy  
10 in the director's determination of each department's budget  
11 allotment under section 37-35 and may reduce the amount allotted  
12 to the state agency accordingly.

13 (b) If a state agency wants to retain an unfilled position  
14 included in the estimate of expenses submitted to the director  
15 of finance under section 37-34, the state agency shall give the  
16 director of finance specific and valid reasons for retaining the  
17 position.

18 (c) If the director of finance determines that the reasons  
19 given by the state agency for retaining a vacant position are  
20 insufficient, the director of finance shall inform the state  
21 agency of why the reasons for retaining the position submitted  
22 by the state agency are insufficient and shall eliminate the



1 position and reduce the amount allotted to the state agency  
2 accordingly.

3 (d) The director of finance shall report each quarter on  
4 actions taken under this section to the legislature in the  
5 manner provided under section 93-16.

6 (e) As used in this section:

7 "State agency" means any executive department, independent  
8 commission, board, agency, authority, bureau, office, or other  
9 establishment of the state government, except the legislature  
10 and the judiciary, or any quasi-public institution which is  
11 supported in whole or in part by state funds."

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect on July 1, 2012.



**Report Title:**

Budget; Removal of Vacant Positions

**Description:**

Requires State agencies to fill job positions within ten years after a vacancy; requires the automatic removal of funds for positions vacant longer than ten years. Effective July 1, 2012.  
(HB2217 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

