

---

---

**A BILL FOR AN ACT**

RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM.

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

1           SECTION 1. Act 51, Session Laws of Hawaii 2004, was to in  
2 part transfer the control of certain functions of executive  
3 branch agencies that pertained to education personnel and  
4 facilities to the department of education to increase  
5 operational efficiency of the department while reducing  
6 bureaucracy. However, after enactment of Act 51, the department  
7 of human resources development continued to provide services to  
8 all employees of the Hawaii state public library system and the  
9 Hawaii state public library system employees were not a part of  
10 or included in the department of education personnel system.

11           This Act clarifies the intent of Act 51 by amending section  
12 46 of Act 51, Session Laws of Hawaii 2004, to confirm that all  
13 personnel in the Hawaii state public library system are within  
14 the personnel system administered by the department of human  
15 resources development, and are not part of the personnel system  
16 administered by the department of education. This Act reaffirms  
17 the human resources functions currently performed by the  
18 department of human resources development for the Hawaii state

1 public library system. These human resources functions include,  
2 but are not limited to: payroll, records, transactions, leaves,  
3 reports, recruitment, certification, examination, management,  
4 classification, and labor relations. Although the department of  
5 education and the Hawaii state public library system are  
6 controlled and overseen by the board of education, Act 51 was  
7 silent regarding all employees of the Hawaii state public  
8 library system. The human resources functions of the Hawaii  
9 state public library system are best served by the personnel  
10 system administered by the department of human resources  
11 development, not the department of education administered  
12 personnel system.

13 SECTION 2. Act 51, Session Laws of Hawaii 2004, is amended  
14 by amending section 46 to read as follows:

15 "SECTION 46. (a) All the rights, powers, functions,  
16 duties, and resources of:

17 (1) The department of accounting and general services  
18 relating to capital improvement programs, including  
19 the:

20 (A) Expending of capital improvement funds for the  
21 acquisition and development of land, the design  
22 and construction of new facilities, and the

1 making of renovations or additions to existing  
2 facilities, including moneys in the state  
3 educational facilities improvement special fund;  
4 and

5 (B) Buying, purchasing, renting, leasing, or  
6 otherwise acquiring of any good, service, or  
7 construction, including the description of  
8 requirements, selection and solicitation of  
9 sources, preparation and awarding of contracts,  
10 payment of vendors, and all other phases of  
11 contract administration;

12 (2) The department of accounting and general services  
13 relating to repair and maintenance functions not  
14 transferred to the department of education under  
15 section 44 of this Act; and

16 (3) The department of human resources development relating  
17 to the:

18 (A) Operation of a centralized human resources system  
19 that encompasses the classes of work performed by  
20 department of education employees, and that  
21 integrates payroll, records, transactions,  
22 leaves, and reports; and

H .B. NO. 2510

1 (B) Recruitment, certification, examination,  
2 management, classification, and compensation of  
3 department of education employees, including  
4 labor relations;  
5 are transferred to the department of education effective July 1,  
6 2005, subject to repeal by subsequent legislation.

7 (b) All moneys budgeted in support of each position to be  
8 transferred to the department of education, including moneys for  
9 direct and indirect employee benefits, are transferred to the  
10 department of education effective July 1, 2005, subject to  
11 repeal by subsequent legislation.

12 (c) This section shall not apply to the Hawaii state  
13 public library system and its employees."

14 SECTION 3. New statutory material is underscored.

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

16

17

18

19

INTRODUCED BY:

Calvin K. Aoy

BY REQUEST

JAN 23 2012

H .B. NO. 2510

Report Title:

Hawaii State Public Library System

Description:

Clarifies that the transfer of certain functions pertaining to education personnel and facilities by Act 51, Session Laws of Hawaii 2004, did not apply to the Hawaii State Public Library System and its employees.

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

JUSTIFICATION SHEET

DEPARTMENT: EDUCATION, HAWAII STATE PUBLIC LIBRARY SYSTEM

TITLE: A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM.

PURPOSE: To clarify The Hawaii State Public Library System's (HSPLS) status as a state agency apart from the Department of Education (DOE). This bill clearly places HSPLS and its employees under the executive branch.

MEANS: Amend section 46, Act 51, Session Laws of Hawaii (SLH) 2004.

JUSTIFICATION: Act 51, SLH 2004, transferred the control of certain functions pertaining to education personnel and facilities to the DOE to increase DOE's operational efficiency and reduce bureaucracy. This bill would clarify that HSPLS was not intended to be affected by the transfer to DOE in regards to all of the rights, powers, duties, resources, and functions listed in section 46. Act 51 was silent regarding the HSPLS employees and its administrative and personnel functions. The HSPLS and its employees are best served by the personnel system administered by the Department of Human Resources Development and not the personnel system administered by DOE.

Impact on the Public: No impact on the public.

Impact on the Department and other agencies: The Department of Accounting and General Services (DAGS) and Department of Human Resources Development (DHRD) have always administered the fiscal, accounting, facility maintenance, CIP

functions, etc., and all personnel functions for the HSPLS.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: EDN 407.

OTHER AFFECTED  
AGENCIES: DHRD and DAGS.

EFFECTIVE DATE: Upon approval or July 1, 2012.