

JAN 20 2012

S.B. NO. 2416

A BILL FOR AN ACT

RELATING TO PAHALA PUBLIC LIBRARY.

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

1 SECTION 1. Pahala public library shall be transferred from
2 the jurisdiction of the Hawaii state public library system under
3 the board of education to the jurisdiction of the department of
4 education and shall be operated as a school library for the
5 benefit of Kau high school.

6 SECTION 2. All rights, powers, functions, and duties of
7 Pahala public library are transferred to the department of
8 education.

9 All officers and employees whose functions are transferred
10 by this Act shall be transferred with their functions and shall
11 continue to perform their regular duties upon their transfer,
12 subject to the state personnel laws and this Act.

13 No officer or employee of the State having tenure shall
14 suffer any loss of salary, seniority, prior service credit,
15 vacation, sick leave, or other employee benefit or privilege as
16 a consequence of this Act, and such officer or employee may be
17 transferred or appointed to a civil service position without the
18 necessity of examination; provided that the officer or employee



1 possesses the minimum qualifications for the position to which
2 transferred or appointed; and provided that subsequent changes
3 in status may be made pursuant to applicable civil service and
4 compensation laws.

5 An officer or employee of the State who does not have
6 tenure and who may be transferred or appointed to a civil
7 service position as a consequence of this Act shall become a
8 civil service employee without the loss of salary, seniority,
9 prior service credit, vacation, sick leave, or other employee
10 benefits or privileges and without the necessity of examination;
11 provided that such officer or employee possesses the minimum
12 qualifications for the position to which transferred or
13 appointed.

14 If an office or position held by an officer or employee
15 having tenure is abolished, the officer or employee shall not
16 thereby be separated from public employment, but shall remain in
17 the employment of the State with the same pay and classification
18 and shall be transferred to some other office or position for
19 which the officer or employee is eligible under the personnel
20 laws of the State as determined by the head of the department or
21 the governor.



1 SECTION 3. All appropriations, records, equipment,
2 machines, files, supplies, contracts, books, papers, documents,
3 maps, and other personal property heretofore made, used,
4 acquired, or held by the Hawaii state public library system
5 under the board of education relating to the functions
6 transferred to the department of education shall be transferred
7 with the functions to which they relate.

8 SECTION 4. All rules, policies, procedures, guidelines,
9 and other material adopted or developed by the agencies,
10 divisions, or offices transferred or placed for administrative
11 purposes under this Act, shall remain in full force and effect
12 until amended or repealed by the department of education
13 pursuant to chapter 91, Hawaii Revised Statutes.

14 SECTION 5. All deeds, leases, contracts, loans,
15 agreements, permits, or other documents executed or entered into
16 by or on behalf of the agencies, division, or offices
17 transferred or placed for administrative purposes with the
18 department of education by this Act, shall remain in full force
19 and effect.

20 SECTION 6. The provisions of this Act shall be liberally
21 construed to effectuate its purposes.



1 SECTION 7. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so much
 3 thereof as may be necessary for fiscal year 2012-2013 for
 4 personnel costs to ensure that Pahala public library maintains
 5 the operating hours of a school library.

6 The sum appropriated shall be expended by the department of
 7 education for the purposes of this Act.

8 SECTION 8. This Act shall take effect on July 1, 2012.
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S.B. NO. 2416

Report Title:

Pahala Public Library

Description:

Transfers the administration of Pahala Public Library from the Public Library System to the Department of Education. Effective July 1, 2012.

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

