

JAN 25 2012

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

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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

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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.

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INTRODUCED BY: 

BY REQUEST

S.B. NO. 2772

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.