



GOV. MSG. NO. 1254

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

June 29, 2023

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 29, 2023, the following bill was signed into law:

SB726 SD1 HD1 CD1

RELATING TO THE DEPARTMENT OF HUMAN
RESOURCES DEVELOPMENT.
ACT 151

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

on JUN 29 2023

THE SENATE
THIRTY-SECOND LEGISLATURE, 2023
STATE OF HAWAII

S.B. NO. 726
S.D. 1
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT.

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

1 SECTION 1. Section 26-5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§26-5 Department of human resources development. (a)
4 The department of human resources development shall be headed by
5 a single executive to be known as the director of human
6 resources development. The director shall:

7 (1) Facilitate and expedite the hiring and recruitment for
8 civil service positions under the jurisdiction of the
9 department of human resources development; and

10 (2) Have the authority to reclassify and abolish vacant
11 positions within state departments and agencies that
12 are under the jurisdiction of the department of human
13 resources development, subject to the following
14 conditions:

15 (A) Prior to reclassifying or abolishing any vacant
16 position as provided under this paragraph, the
17 director shall submit a report to the legislature
18 no later than twenty days prior to each regular



1 session. The report shall include a list of
2 vacant positions for reclassification or
3 abolishment, identify the agency each position is
4 attached to, provide reasons for reclassifying or
5 abolishing the position, and state the duration
6 that the position has been vacant; and
7 (B) The director may reclassify or abolish any vacant
8 position as provided under this paragraph no
9 earlier than sixty days after the report has been
10 submitted to the legislature as provided under
11 subparagraph (A).

12 (b) The department shall administer the state human
13 resources program, including human resources development and
14 training, and central human resources services such as
15 recruitment, examination, classification, pay administration,
16 and payment of any claims as required under chapter 386.

17 (c) There shall be within the department of human
18 resources development a board to be known as the merit appeals
19 board, which shall sit as an appellate body on matters set forth
20 in section 76-14. The board shall consist of three members.
21 All members shall have knowledge of public employment laws and



1 prior experience with public employment; provided that at least
2 one member's experience was with an employee organization as a
3 member or an employee of that organization and at least one
4 member's experience was with management. The governor shall
5 consider the names of qualified individuals submitted by
6 employee organizations or management before appointing the
7 members of the board. The chairperson of the board shall be
8 designated as specified in the rules of the board.

9 (d) The provisions of section 26-34 shall not apply and
10 the board members shall be appointed by the governor for
11 four-year terms and may be [~~re-appointed~~] reappointed without
12 limitation; provided that the initial appointments shall be for
13 staggered terms, as determined by the governor. The governor
14 shall fill any vacancy by appointing a new member for a four-
15 year term. The governor may remove for cause any member after
16 due notice and public hearing.

17 (e) Nothing in this section shall be construed as in any
18 manner affecting the civil service laws applicable to the
19 several counties, the judiciary, or the Hawaii health systems
20 corporation or its regional system boards, which shall remain
21 the same as if this chapter had not been enacted.



1 ~~[(f) There is established within the department of human~~
2 ~~resources development an administrative assistant position~~
3 ~~exempt from chapter 76. The administrative assistant shall be~~
4 ~~appointed by and report to the director of human resources~~
5 ~~development.~~

6 ~~The administrative assistant shall:~~

7 ~~(1) Facilitate and expedite the hiring and recruitment for~~
8 ~~civil service positions under the jurisdiction of the~~
9 ~~department of human resources development; and~~

10 ~~(2) Have the authority to reclassify and abolish vacant~~
11 ~~positions within state departments and agencies that~~
12 ~~are under the jurisdiction of the department of human~~
13 ~~resources development, subject to the following~~
14 ~~conditions:~~

15 ~~(A) Prior to reclassifying or abolishing any vacant~~
16 ~~position as provided under this paragraph, the~~
17 ~~administrative assistant shall submit a report to~~
18 ~~the legislature no later than twenty days prior~~
19 ~~to each regular session. The report shall~~
20 ~~include a list of vacant positions for~~
21 ~~reclassification or abolishment, identify the~~



1 ~~agency each position is attached to, provide~~
2 ~~reasons for reclassifying or abolishing the~~
3 ~~position, and state the duration the position has~~
4 ~~been vacant, and~~

5 ~~(B) The administrative assistant may reclassify or~~
6 ~~abolish any vacant position as provided under~~
7 ~~this paragraph no earlier than sixty days after~~
8 ~~the report has been submitted to the legislature~~
9 ~~as provided under this paragraph.~~

10 ~~(g)]~~ (f) There is established in the state treasury the
11 human resources development special fund, to be administered by
12 the department of human resources development, which shall
13 consist of: ~~[all]~~

14 (1) All revenues received by the department as a result of
15 entrepreneurial efforts in securing new sources of
16 funds not provided for in the department's budget for
17 services rendered by the department ~~[, all]~~;

18 (2) All revenues received by the department from the
19 charging of participant fees for in-service training
20 that are in addition to general fund appropriations in



1 the department's budget for developing and operating
2 in-service training programs [~~appropriations~~];

3 (3) Appropriations made by the legislature to the fund [~~and moneys~~]; and

4
5 (4) Moneys directed to the department from any other
6 source, including gifts, grants, and awards.

7 (g) Moneys in the human resources development special fund
8 shall be used for the following purposes:

9 (1) Supporting the department's entrepreneurial
10 initiatives, training activities, and programs;

11 (2) Administrative costs of the department's
12 entrepreneurial initiatives, training activities, and
13 programs; and

14 (3) Any other purpose deemed necessary by the director for
15 the purpose of facilitating the department's
16 entrepreneurial initiatives, training activities, and
17 programs.

18 (h) The department of human resources development shall
19 submit, no later than twenty days prior to the convening of each
20 regular session of the legislature [~~beginning with the regular~~
21 ~~session of 2007~~], a report of the number of exempt positions



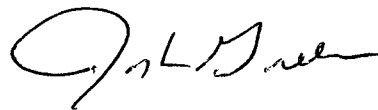
1 that were converted to civil service positions during the
2 previous twelve months. The report shall include but not be
3 limited to:

- 4 (1) When the position was established;
- 5 (2) The purpose of the position;
- 6 (3) Rationale for the conversion; and
- 7 (4) How many exempt positions remain in each state
8 department after the conversions."

9 SECTION 2. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 3. This Act shall take effect upon its approval.

APPROVED this **29th** day of **June**, 2023



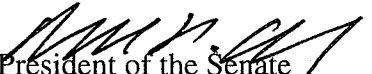
GOVERNOR OF THE STATE OF HAWAII

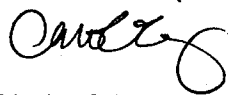


THE SENATE OF THE STATE OF HAWAI'I

Date: May 2, 2023
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023.


President of the Senate


Clerk of the Senate

SB No. 726, SD 1, HD 1, CD 1


THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2023
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives