

## ACT 199

H.B. NO. 1571

A Bill for an Act Relating the the Hawaiian Homes Commission Act, 1920, as Amended.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The purpose of this Act is to amend the Hawaiian Homes Commission Act, 1920, as amended, to extend the term of employment of contract individuals.

SECTION 2. Section 202, Hawaiian Homes Commission Act, 1920, as amended, is amended by amending subsection (b) to read:

“(b) The provisions of section 76-16, Hawaii Revised Statutes, shall apply to the positions of the first deputy and private secretary to the chairman of the commission. The department may hire a staff consisting of qualified aides in finance and funding, planning and development, legal matters, agriculture and ranching, and other individuals on a contractual basis not subject to chapters 76, 77, and 78, Hawaii Revised Statutes, when the services to be performed will assist in carrying out the purposes of the Act. These positions may be funded through appropriations for capital improvement program projects and by the administration account, development, or operating funds. No contract shall be for a period longer than two years, [and no individual] but individuals hired under contract [shall] may be employed [beyond] for a maximum of six years[.]; provided that the six-year limitation shall not apply if the department, with the approval of the governor, determines that such contract individuals are needed to provide critical services for the efficient functioning of the department. All other positions in the department shall be subject to [the provisions of] chapters 76 and 77, Hawaii Revised Statutes, and employees having tenure, according to

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the employment practices of the department, immediately prior to June 20, 1963, and occupying positions in accordance with the State's position classifications and compensation plans shall be given permanent appointment status under chapter 76 without a reduction in pay or the loss of seniority, prior service credit, vacation, or sick leave earned heretofore. An employee with tenure who does not occupy a position under chapters 76 and 77, Hawaii Revised Statutes,<sup>1</sup> shall be appointed to the position after it has been classified and assigned to an appropriate salary range by the director of personnel services and such employee shall not suffer a reduction in pay or loss of seniority and other credits earned heretofore.

All vacancies and new positions which are covered by [the provisions of] chapters 76 and 77, Hawaii Revised Statutes, shall be filled in accordance with [the provisions of] sections 76-23 and 76-31, Hawaii Revised Statutes, provided that the provisions of these sections shall be applicable first to qualified persons of Hawaiian extraction.”

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored.

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

(Approved May 30, 1984.)

### Note

1. Underscoring missing.