

ACT 92

S.B. NO. 970

A Bill for an Act Relating to the Department of Hawaiian Home Lands.

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

SECTION 1. Findings and purpose. (a) The Hawaiian Homes Commission Act, 1920, as amended, provides the authority for distributing benefits to native Hawaiians through the provision of Hawaiian home lands for homesteading purposes and financial assistance for construction of homes and farms. The Hawaiian Homes Commission Act is administered by the department of Hawaiian home lands, which is undertaking a program to accelerate the distribution of land to applicants on waiting lists for residential, agricultural, and pastoral homestead lots.

Last fiscal year the department awarded 1,036 homestead lots, and is planning to award at least another 1,500 lots this year and another 1,500 lots next fiscal year. As of December 31, 1985, there were 4,325 homestead lessees and 10,535 applicants. By June 30, 1987, it is expected that another 3,000 new lessees will be served by the department, with an estimated 2,700 new names added to waiting lists.

Since July 1, 1983, the department has been authorized only sixty-eight permanent positions, and has had to utilize temporary positions to enable it to cope with high workload volume. The department is presently employing forty-eight temporary staff exempt from civil service, as authorized by section 202(b) of the Hawaiian Homes Commission Act. All of the department's positions are financed by special funds because the department does not receive any general fund financing. Special funds cover all operating costs, including salaries and fringe benefits.

(b) The purpose of this Act is to authorize the department of Hawaiian home lands to establish up to thirty permanent positions and to fill the positions with temporary personnel who have been trained and are well qualified to provide services required in carrying out the purposes of the Hawaiian Homes Commission Act. Establishment and filling of the positions authorized by this Act will enable the department to cope with present and future workload requirements, to avoid additional costs associated with recruiting and training new employees to replace experienced staff members, and to administer the Hawaiian Homes Commission Act in an effective manner.

SECTION 2. With the approval of the governor, the department of Hawaiian home lands is authorized to establish up to thirty permanent positions and to assign the positions to appropriate programs of the department. The director of personnel services shall classify each position established pursuant to this Act and assign the position to an appropriate class and pay range. After the position is classified, the department of Hawaiian home lands may place a temporary employee exempt from civil service in a permanent position established pursuant to this Act; provided that the employee meets the minimum qualification requirements for the class. A temporary employee placed

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in a permanent position shall be conferred permanent civil service status within the meaning of chapters 76 and 77, Hawaii Revised Statutes, without the necessity of examination, without any reduction in pay, and without any loss of seniority, prior service credit, vacation and sick leave credits earned, or loss of any other benefit accorded a civil service employee.

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

(Approved April 22, 1986.)