



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 7, 2019

GOV. MSG. NO. 1158

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

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth 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 7, 2019, the following bill was signed into law:

HB867 HD2 SD2 CD1

RELATING TO THE DEPARTMENT OF HUMAN
RESOURCES DEVELOPMENT.
ACT 057 (19)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor

on JUN 7 2019

ORIGINAL

ACT 057

H.B. NO.

HOUSE OF REPRESENTATIVES
THIRTIETH LEGISLATURE, 2019
STATE OF HAWAII

867
H.D. 2
S.D. 2
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 PART I

2 SECTION 1. It is in the State's best interest to support
3 critical government functions with the most talented and
4 qualified staff. The legislature finds that there continues to
5 be persistent vacancies in various state departments and
6 agencies without a clear root cause as to the breakdown in the
7 recruitment and hiring process to fill these vacant positions.

8 The legislature also finds that the department of human
9 resources development currently lacks a key type of employee
10 position to serve as a liaison between the department of human
11 resources development and state departments and agencies to
12 facilitate and expedite the hiring and recruitment for civil
13 service positions within the department of human resources
14 development's jurisdiction.

15 The purpose of this part is to establish an administrative
16 assistant position within the department of human resources
17 development.



1 SECTION 2. 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.

7 (b) The department shall administer the state human
8 resources program, including human resources development and
9 training, and central human resources services such as
10 recruitment, examination, classification, pay administration,
11 and payment of any claims as required under chapter 386.

12 (c) There shall be within the department of human
13 resources development a board to be known as the merit appeals
14 board which shall sit as an appellate body on matters set forth
15 in section 76-14. The board shall consist of three members.
16 All members shall have knowledge of public employment laws and
17 prior experience with public employment; provided that at least
18 one member's experience was with an employee organization as a
19 member or an employee of that organization and at least one
20 member's experience was with management. The governor shall
21 consider the names of qualified individuals submitted by



1 employee organizations or management before appointing the
2 members of the board. The chairperson of the board shall be
3 designated as specified in the rules of the board.

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

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

17 (f) There is established within the department of human
18 resources development an administrative assistant position
19 exempt from chapter 76. The administrative assistant shall be
20 appointed by and report to the director of human resources
21 development.



1 The administrative assistant shall:

2 (1) Facilitate and expedite the hiring and recruitment for
3 civil service positions under the jurisdiction of the
4 department of human resources development; and

5 (2) Have the authority to reclassify and abolish vacant
6 positions within state departments and agencies that
7 are under the jurisdiction of the department of human
8 resources development, subject to the following
9 conditions:

10 (A) Prior to reclassifying or abolishing any vacant
11 position as provided under this paragraph, the
12 administrative assistant shall submit a report to
13 the legislature no later than twenty days prior
14 to each regular session. The report shall
15 include a list of vacant positions for
16 reclassification or abolishment, identify the
17 agency each position is attached to, provide
18 reasons for reclassifying or abolishing the
19 position, and state the duration the position has
20 been vacant; and



1 (B) The administrative assistant may reclassify or
2 abolish any vacant position as provided under
3 this paragraph no earlier than sixty days after
4 the report has been submitted to the legislature
5 as provided under this paragraph.

6 [~~(f)~~] (g) There is established in the state treasury the
7 human resources development special fund, to be administered by
8 the department of human resources development, which shall
9 consist of: all revenues received by the department as a result
10 of entrepreneurial efforts in securing new sources of funds not
11 provided for in the department's budget for services rendered by
12 the department, all revenues received by the department from the
13 charging of participant fees for in-service training that are in
14 addition to general fund appropriations in the department's
15 budget for developing and operating in-service training
16 programs, appropriations made by the legislature to the fund,
17 and moneys directed to the department from any other source,
18 including gifts, grants, and awards.

19 Moneys in the human resources development special fund
20 shall be used for the following purposes:



- 1 (1) Supporting the department's entrepreneurial
2 initiatives, training activities, and programs;
- 3 (2) Administrative costs of the department's
4 entrepreneurial initiatives, training activities, and
5 programs; and
- 6 (3) Any other purpose deemed necessary by the director for
7 the purpose of facilitating the department's
8 entrepreneurial initiatives, training activities, and
9 programs.

10 [~~g~~] (h) The department of human resources development
11 shall submit, no later than twenty days prior to the convening
12 of each regular session [~~+~~] of the legislature [~~+~~] beginning with
13 the regular session of 2007, a report of the number of exempt
14 positions that were converted to civil service positions during
15 the previous twelve months. The report shall include but not be
16 limited to:

- 17 (1) When the position was established;
- 18 (2) The purpose of the position;
- 19 (3) Rationale for the conversion; and
- 20 (4) How many exempt positions remain in each state
21 department after the conversions."



1 PART II

2 SECTION 3. There is appropriated out of the general
3 revenues of the State of Hawaii the sum of \$480,436 or so much
4 thereof as may be necessary for fiscal year 2019-2020 and the
5 sum of \$472,436 or so much thereof as may be necessary for
6 fiscal year 2020-2021 for the following expenditures of HRD102 -
7 workforce attraction, selection, classification, and
8 effectiveness:

- 9 (1) \$147,464 for fiscal year 2019-2020 and \$139,464 for
10 fiscal year 2020-2021, including one permanent full-
11 time equivalent (1.0 FTE) position to support the
12 learning management system upgrade;
- 13 (2) \$132,972 for fiscal year 2019-2020 and \$132,972 for
14 fiscal year 2020-2021 for one permanent full-time
15 equivalent (1.0 FTE) administrative assistant
16 position; and
- 17 (3) \$200,000 for fiscal year 2019-2020 and \$200,000 for
18 fiscal year 2020-2021 for two permanent full-time
19 equivalent (2.0 FTE) senior recruiter positions.

20 The sums appropriated shall be expended by the department
21 of human resources development for the purposes of this part.

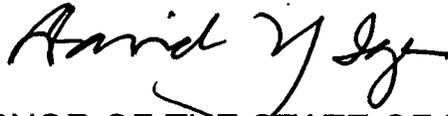


1 PART III

2 SECTION 4. Statutory material to be repealed is bracketed
3 and stricken. New statutory material is underscored.

4 SECTION 5. This Act shall take effect on July 1, 2019.

APPROVED this 7 day of JUN , 2019



GOVERNOR OF THE STATE OF HAWAII



HB No. 867, HD 2, SD 2, CD 1

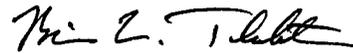
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki
Speaker
House of Representatives

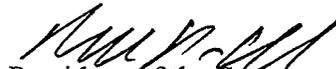


Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 30, 2019
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.


President of the Senate


Clerk of the Senate