

JAN 23 2015

S.B. NO. 862

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. Section 302L-1.5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) There is established an executive office on early
4 learning that shall be ~~[temporarily placed within the office of~~
5 ~~the governor; provided that on July 1, 2015, the executive~~
6 ~~office on early learning shall be]~~ permanently established
7 within the department of education ~~[for administrative purposes~~
8 ~~only.]~~, beginning on July 1, 2015."

9 SECTION 2. All rights, powers, functions, and duties of
10 the office of the governor relating to this Act are transferred
11 to the department of education.

12 All employees who occupy civil service positions and whose
13 functions are transferred to the department of education by this
14 Act shall retain their civil service status, whether permanent
15 or temporary. Employees shall be transferred without loss of
16 salary, seniority (except as prescribed by applicable collective
17 bargaining agreements), retention points, prior service credit,



1 any vacation and sick leave credits previously earned, and other
2 rights, benefits, and privileges, in accordance with state
3 personnel laws and this Act; provided that the employees possess
4 the minimum qualifications and public employment requirements
5 for the class or position to which transferred or appointed, as
6 applicable; provided further that subsequent changes in status
7 may be made pursuant to applicable civil service and
8 compensation laws.

9 Any employee who, prior to this Act, is exempt from civil
10 service and is transferred as a consequence of this Act may
11 retain the employee's exempt status, but shall not be appointed
12 to a civil service position as a consequence of this Act. An
13 exempt employee who is transferred by this Act shall not suffer
14 any loss of prior service credit, vacation or sick leave credits
15 previously earned, or other employee benefits or privileges as a
16 consequence of this Act; provided that the employees possess
17 legal and public employment requirements for the position to
18 which transferred or appointed, as applicable; provided further
19 that subsequent changes in status may be made pursuant to
20 applicable employment and compensation laws. The superintendent
21 of education may prescribe the duties and qualifications of



1 these employees and fix their salaries without regard to chapter
2 76, Hawaii Revised Statutes.

3 SECTION 3. All appropriations, records, equipment,
4 machines, files, supplies, contracts, books, papers, documents,
5 maps, and other personal property heretofore made, used,
6 acquired, or held by the office of the governor relating to the
7 functions transferred to the department of education shall be
8 transferred with the functions to which they relate.

9 SECTION 4. All rules, policies, procedures, guidelines,
10 and other material adopted or developed by the office of the
11 governor to implement provisions of the Hawaii Revised Statutes
12 that are reenacted or made applicable to the department of
13 education by this Act, shall remain in full force and effect
14 until amended or repealed by the board of education pursuant to
15 chapter 91, Hawaii Revised Statutes. In the interim, every
16 reference to the office of the governor or the governor in those
17 rules, policies, procedures, guidelines, and other material is
18 amended to refer to the department of education, the board of
19 education, or the superintendent of education, as appropriate.

20 SECTION 5. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



S.B. NO. 862

1 SECTION 6. This Act shall take effect on July 1, 2015.

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INTRODUCED BY:

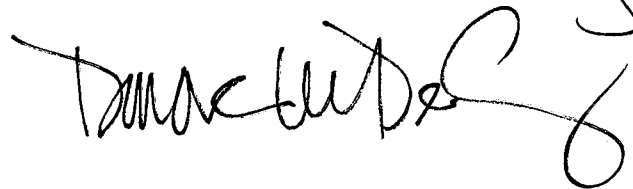
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Report Title:

Executive Office on Early Learning; DOE

Description:

Transfers the executive office on early learning from the governor's office to the DOE.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

