
A BILL FOR AN ACT

RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM.

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

1 SECTION 1. The purpose of this Act is to exempt an
2 additional administrative assistant position in the Hawaii state
3 public library system from civil service.

4 SECTION 2. Section 76-16, Hawaii Revised Statutes, is
5 amended by amending subsection (b) to read as follows:

6 "(b) The civil service to which this chapter applies shall
7 comprise all positions in the State now existing or hereafter
8 established and embrace all personal services performed for the
9 State, except the following:

10 (1) Commissioned and enlisted personnel of the Hawaii
11 National Guard [~~as such~~], and positions in the Hawaii
12 National Guard that are required by state or federal
13 laws or regulations or orders of the National Guard to
14 be filled from those commissioned or enlisted
15 personnel;

16 (2) Positions filled by persons employed by contract where
17 the director of human resources development has



1 certified that the service is special or unique or is
2 essential to the public interest and that, because of
3 circumstances surrounding its fulfillment, personnel
4 to perform the service cannot be obtained through
5 normal civil service recruitment procedures. Any
6 [~~such~~] contract may be for any period not exceeding
7 one year;

8 (3) Positions that must be filled without delay to comply
9 with a court order or decree if the director
10 determines that recruitment through normal recruitment
11 civil service procedures would result in delay or
12 noncompliance, such as the Felix-Cayetano consent
13 decree;

14 (4) Positions filled by the legislature or by either house
15 or any committee thereof;

16 (5) Employees in the office of the governor and office of
17 the lieutenant governor, and household employees at
18 Washington Place;

19 (6) Positions filled by popular vote;

20 (7) Department heads, officers, and members of any board,
21 commission, or other state agency whose appointments



1 are made by the governor or are required by law to be
2 confirmed by the senate;

3 (8) Judges, referees, receivers, masters, jurors, notaries
4 public, land court examiners, court commissioners, and
5 attorneys appointed by a state court for a special
6 temporary service;

7 (9) One bailiff for the chief justice of the supreme court
8 who shall have the powers and duties of a court
9 officer and bailiff under section 606-14; one
10 secretary or clerk for each justice of the supreme
11 court, each judge of the intermediate appellate court,
12 and each judge of the circuit court; one secretary for
13 the judicial council; one deputy administrative
14 director of the courts; three law clerks for the chief
15 justice of the supreme court, two law clerks for each
16 associate justice of the supreme court and each judge
17 of the intermediate appellate court, one law clerk for
18 each judge of the circuit court, two additional law
19 clerks for the civil administrative judge of the
20 circuit court of the first circuit, two additional law
21 clerks for the criminal administrative judge of the



1 circuit court of the first circuit, one additional law
2 clerk for the senior judge of the family court of the
3 first circuit, two additional law clerks for the civil
4 motions judge of the circuit court of the first
5 circuit, two additional law clerks for the criminal
6 motions judge of the circuit court of the first
7 circuit, and two law clerks for the administrative
8 judge of the district court of the first circuit; and
9 one private secretary for the administrative director
10 of the courts, the deputy administrative director of
11 the courts, each department head, each deputy or first
12 assistant, and each additional deputy, or assistant
13 deputy, or assistant defined in paragraph (16);
14 (10) First deputy and deputy attorneys general, the
15 administrative services manager of the department of
16 the attorney general, one secretary for the
17 administrative services manager, an administrator and
18 any support staff for the criminal and juvenile
19 justice resources coordination functions, and law
20 clerks;



- 1 (11) (A) Teachers, principals, vice-principals, complex
2 area superintendents, deputy and assistant
3 superintendents, other certificated personnel, no
4 more than twenty noncertificated administrative,
5 professional, and technical personnel not engaged
6 in instructional work;
- 7 (B) Effective July 1, 2003, teaching assistants,
8 educational assistants, bilingual/bicultural
9 school-home assistants, school psychologists,
10 psychological examiners, speech pathologists,
11 athletic health care trainers, alternative school
12 work study assistants, alternative school
13 educational/supportive services specialists,
14 alternative school project coordinators, and
15 communications aides in the department of
16 education;
- 17 (C) The special assistant to the state librarian and
18 one secretary for the special assistant to the
19 state librarian; and
- 20 (D) Members of the faculty of the University of
21 Hawaii, including research workers, extension



1 agents, personnel engaged in instructional work,
2 and administrative, professional, and technical
3 personnel of the university;

4 (12) Employees engaged in special, research, or
5 demonstration projects approved by the governor;

6 (13) (A) Positions filled by inmates, patients of state
7 institutions, persons with severe physical or
8 mental disabilities participating in the work
9 experience training programs;

10 (B) Positions filled with students in accordance with
11 guidelines for established state employment
12 programs; and

13 (C) Positions that provide work experience training
14 or temporary public service employment that are
15 filled by persons entering the workforce or
16 persons transitioning into other careers under
17 programs such as the federal Workforce Investment
18 Act of 1998, as amended, or the Senior Community
19 Service Employment Program of the Employment and
20 Training Administration of the United States



1 Department of Labor, or under other similar state
2 programs;

3 (14) A custodian or guide at Iolani Palace, the Royal
4 Mausoleum, and Hulihee Palace;

5 (15) Positions filled by persons employed on a fee,
6 contract, or piecework basis, who may lawfully perform
7 their duties concurrently with their private business
8 or profession or other private employment and whose
9 duties require only a portion of their time, if it is
10 impracticable to ascertain or anticipate the portion
11 of time to be devoted to the service of the State;

12 (16) Positions of first deputies or first assistants of
13 each department head appointed under or in the manner
14 provided in section 6, article V, of the Hawaii State
15 Constitution; three additional deputies or assistants
16 either in charge of the highways, harbors, and
17 airports divisions or other functions within the
18 department of transportation as may be assigned by the
19 director of transportation, with the approval of the
20 governor; one additional deputy in the department of
21 human services either in charge of welfare or other



1 functions within the department as may be assigned by
2 the director of human services; four additional
3 deputies in the department of health, each in charge
4 of one of the following: behavioral health,
5 environmental health, hospitals, and health resources
6 administration, including other functions within the
7 department as may be assigned by the director of
8 health, with the approval of the governor; two
9 additional deputies in charge of the law enforcement
10 programs, administration, or other functions within
11 the department of law enforcement as may be assigned
12 by the director of law enforcement, with the approval
13 of the governor; three additional deputies each in
14 charge of the correctional institutions,
15 rehabilitation services and programs, and
16 administration or other functions within the
17 department of corrections and rehabilitation as may be
18 assigned by the director of corrections and
19 rehabilitation, with the approval of the governor;
20 [~~an~~] two administrative [~~assistant~~] assistants to the



1 state librarian; and an administrative assistant to
2 the superintendent of education;

3 (17) Positions specifically exempted from this part by any
4 other law; provided that:

5 (A) Any exemption created after July 1, 2014, shall
6 expire three years after its enactment unless
7 affirmatively extended by an act of the
8 legislature; and

9 (B) All of the positions defined by paragraph (9)
10 shall be included in the position classification
11 plan;

12 (18) Positions in the state foster grandparent program and
13 positions for temporary employment of senior citizens
14 in occupations in which there is a severe personnel
15 shortage or in special projects;

16 (19) Household employees at the official residence of the
17 president of the University of Hawaii;

18 (20) Employees in the department of education engaged in
19 the supervision of students during meal periods in the
20 distribution, collection, and counting of meal



- 1 tickets, and in the cleaning of classrooms after
2 school hours on a less than half-time basis;
- 3 (21) Employees hired under the tenant hire program of the
4 Hawaii public housing authority; provided that not
5 more than twenty-six per cent of the authority's
6 workforce in any housing project maintained or
7 operated by the authority shall be hired under the
8 tenant hire program;
- 9 (22) Positions of the federally funded expanded food and
10 nutrition program of the University of Hawaii that
11 require the hiring of nutrition program assistants who
12 live in the areas they serve;
- 13 (23) Positions filled by persons with severe disabilities
14 who are certified by the state vocational
15 rehabilitation office that they are able to perform
16 safely the duties of the positions;
- 17 (24) The sheriff;
- 18 (25) A gender and other fairness coordinator hired by the
19 judiciary;
- 20 (26) Positions in the Hawaii National Guard youth and adult
21 education programs;



- 1 (27) In the Hawaii state energy office in the department of
2 business, economic development, and tourism, all
3 energy program managers, energy program specialists,
4 energy program assistants, and energy analysts;
- 5 (28) Administrative appeals hearing officers in the
6 department of human services;
- 7 (29) In the Med-QUEST division of the department of human
8 services, the division administrator, finance officer,
9 health care services branch administrator, medical
10 director, and clinical standards administrator;
- 11 (30) In the director's office of the department of human
12 services, the enterprise officer, information security
13 and privacy compliance officer, security and privacy
14 compliance engineer, security and privacy compliance
15 analyst, information technology implementation
16 manager, assistant information technology
17 implementation manager, resource manager,
18 community/project development director, policy
19 director, special assistant to the director, and
20 limited English proficiency project
21 manager/coordinator;



- 1 (31) The Alzheimer's disease and related dementia services
2 coordinator in the executive office on aging;
- 3 (32) In the Hawaii emergency management agency, the
4 executive officer, public information officer, civil
5 defense administrative officer, branch chiefs, and
6 emergency operations center state warning point
7 personnel; provided that for state warning point
8 personnel, the director shall determine that
9 recruitment through normal civil service recruitment
10 procedures would result in delay or noncompliance;
- 11 (33) The executive director and seven full-time
12 administrative positions of the school facilities
13 authority;
- 14 (34) Positions in the Mauna Kea stewardship and oversight
15 authority;
- 16 (35) In the office of homeland security of the department
17 of law enforcement, the statewide interoperable
18 communications coordinator; and
- 19 (36) In the social services division of the department of
20 human services, the business technology analyst.



1 The director shall determine the applicability of this
2 section to specific positions.

3 Nothing in this section shall be deemed to affect the civil
4 service status of any incumbent as it existed on July 1, 1955."

5 SECTION 3. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Hawaii State Public Library System; Civil Service; Exemptions

Description:

Exempts an additional administrative assistant position in the Hawaii State Public Library System from civil service. Takes effect 7/1/2050. (SD1)

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