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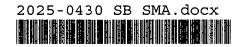
JAN 1 6 2025

A BILL FOR AN ACT

RELATING TO THE DEPUTY DIRECTOR OF HIGHWAYS OF THE DEPARTMENT OF TRANSPORTATION.

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

1 SECTION 1. Section 76-16, Hawaii Revised Statutes, is 2 amended by amending subsection (b) to read as follows: 3 The civil service to which this chapter applies shall "(b) comprise all positions in the State now existing or hereafter 4 5 established and embrace all personal services performed for the 6 State, except the following: 7 Commissioned and enlisted personnel of the Hawaii (1) 8 National Guard, and positions in the Hawaii National 9 Guard that are required by state or federal laws or 10 regulations or orders of the National Guard to be 11 filled from those commissioned or enlisted personnel; 12 (2) Positions filled by persons employed by contract where 13 the director of human resources development has 14 certified that the service is special or unique or is 15 essential to the public interest and that, because of 16 circumstances surrounding its fulfillment, personnel



1 to perform the service cannot be obtained through 2 normal civil service recruitment procedures. [Any] 3 The contract may be for any period not exceeding one 4 year; (3) Positions that must be filled without delay to comply 5 with a court order or decree if the director 6 7 determines that recruitment through normal recruitment civil service procedures would result in delay or 8 9 noncompliance, such as the Felix-Cayetano consent 10 decree; 11 (4) Positions filled by the legislature or by either house 12 or any committee thereof; Employees in the office of the governor and office of 13 (5) the lieutenant governor, and household employees at 14 15 Washington Place; Positions filled by popular vote; 16 (6) 17 Department heads, officers, and members of any board, (7) commission, or other state agency whose appointments 18 19 are made by the governor or are required by law to be 20 confirmed by the senate;



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

One bailiff for the chief justice of the supreme court 5 (9) 6 who shall have the powers and duties of a court 7 officer and bailiff under section 606-14; one 8 secretary or clerk for each justice of the supreme 9 court, each judge of the intermediate appellate court, 10 and each judge of the circuit court; one secretary for 11 the judicial council; one deputy administrative 12 director of the courts; three law clerks for the chief 13 justice of the supreme court, two law clerks for each 14 associate justice of the supreme court and each judge 15 of the intermediate appellate court, one law clerk for 16 each judge of the circuit court, two additional law 17 clerks for the civil administrative judge of the 18 circuit court of the first circuit, two additional law 19 clerks for the criminal administrative judge of the 20 circuit court of the first circuit, one additional law 21 clerk for the senior judge of the family court of the



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1 first circuit, two additional law clerks for the civil motions judge of the circuit court of the first 2 3 circuit, two additional law clerks for the criminal motions judge of the circuit court of the first 4 5 circuit, and two law clerks for the administrative 6 judge of the district court of the first circuit; and 7 one private secretary for the administrative director of the courts, the deputy administrative director of 8 the courts, each department head, each deputy or first 9 10 assistant, and each additional deputy, or assistant deputy, or assistant defined in paragraph (16); 11 First deputy and deputy attorneys general, the 12 (10) 13 administrative services manager of the department of 14 the attorney general, one secretary for the 15 administrative services manager, an administrator and 16 any support staff for the criminal and juvenile 17 justice resources coordination functions, and law 18 clerks; Teachers, principals, vice-principals, complex 19 (11)(A) 20 area superintendents, deputy and assistant 21 superintendents, other certificated personnel,



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



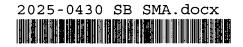
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1	(12)	Employees engaged in special, research, or	
2		demonstration projects approved by the governor;	
3	(13)	(A)	Positions filled by inmates, patients of state
4			institutions, and persons with severe physical or
5			mental disabilities participating in the work
6			experience training programs;
7		(B)	Positions filled with students in accordance with
8			guidelines for established state employment
9			programs; and
10		(C)	Positions that provide work experience training
11			or temporary public service employment that are
12			filled by persons entering the workforce or
13			persons transitioning into other careers under
14			programs such as the federal Workforce Investment
15			Act of 1998, as amended, or the Senior Community
16			Service Employment Program of the Employment and
17			Training Administration of the United States
18			Department of Labor, or under other similar state
19			programs;
20	(14)	A cu	stodian or guide at Iolani Palace, the Royal
21		Maus	oleum, and Hulihee Palace;



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Positions filled by persons employed on a fee, 1 (15) contract, or piecework basis, who may lawfully perform 2 3 their duties concurrently with their private business 4 or profession or other private employment and whose 5 duties require only a portion of their time, if it is 6 impracticable to ascertain or anticipate the portion 7 of time to be devoted to the service of the State; 8 (16)Positions of first deputies or first assistants of 9 each department head appointed under or in the manner 10 provided in section 6, article V, of the Hawaii State 11 Constitution; three additional deputies or assistants 12 either in charge of the highways, harbors, and 13 airports divisions or other functions within the 14 department of transportation as may be assigned by the 15 director of transportation, with the approval of the 16 governor; provided that the deputy director of 17 highways shall be subject to the advice and consent of 18 the senate; one additional deputy in the department of 19 human services either in charge of welfare or other 20 functions within the department as may be assigned by 21 the director of human services; four additional



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



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1	(17)	Positions specifically exempted from this part by any	
2		other law; provided that:	
3		(A) Any exemption created after July 1, 2014, shall	
4		expire three years after its enactment unless	
5		affirmatively extended by an act of the	
6		legislature; and	
7		(B) All of the positions defined by paragraph (9)	
8		shall be included in the position classification	
9		plan;	
10	(18)	Positions in the state foster grandparent program and	
11		positions for temporary employment of senior citizens	
12		in occupations in which there is a severe personnel	
13		shortage or in special projects;	
14	(19)	Household employees at the official residence of the	
15		president of the University of Hawaii;	
16	(20)	Employees in the department of education engaged in	
17		the supervision of students during meal periods in the	
18		distribution, collection, and counting of meal	
19		tickets, and in the cleaning of classrooms after	
20		school hours on a less than half-time basis;	



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1	(21)	Employees hired under the tenant hire program of the
2		Hawaii public housing authority; provided that [no]
3		not more than twenty-six per cent of the authority's
4		workforce in any housing project maintained or
5		operated by the authority shall be hired under the
6		tenant hire program;
7	(22)	Positions of the federally funded expanded food and
8		nutrition program of the University of Hawaii that
9		require the hiring of nutrition program assistants who
10		live in the areas they serve;
11	(23)	Positions filled by persons with severe disabilities
12		who are certified by the state vocational
13		rehabilitation office that they are able to perform
14		safely the duties of the positions;
15	(24)	The sheriff;
16	(25)	A gender and other fairness coordinator hired by the
17		judiciary;
18	(26)	Positions in the Hawaii National Guard youth and adult
19		education programs;
20	(27)	In the Hawaii state energy office in the department of
21		business, economic development, and tourism, all



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



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1	(32)	In the Hawaii emergency management agency, the
2		executive officer, public information officer, civil
3		defense administrative officer, branch chiefs, and
4		emergency operations center state warning point
5		personnel; provided that for state warning point
6		personnel, the director shall determine that
7		recruitment through normal civil service recruitment
8		procedures would result in delay or noncompliance;
9	(33)	The executive director and seven full-time
10		administrative positions of the school facilities
11		authority;
12	(34)	Positions in the Mauna Kea stewardship and oversight
13		authority;
14	(35)	In the office of homeland security of the department
15		of law enforcement, the statewide interoperable
16		communications coordinator;
17	(36)	In the social services division of the department of
18		human services, the business technology analyst;
19	(37)	Senior software developers in the department of
20		taxation;
21	(38)	The executive director and staff of the 911 board;



1	(39)	In the department of law enforcement, five Commission
2		on Accreditation for Law Enforcement Agencies, Inc.,
3		coordinator positions;
4	(40)	The administrator for the law enforcement standards
5		board; and
6	(41)	The state fire marshal.
7	The	director shall determine the applicability of this
8	section t	o specific positions.
9	Noth	ing in this section shall be deemed to affect the civil
10	service s	tatus of any incumbent as it existed on July 1, 1955."
11	SECT	ION 2. Statutory material to be repealed is bracketed
12	and stric	ken. New statutory material is underscored.
13	SECT	ION 3. This Act shall take effect upon its approval.
14		16l Real
		1 the 1 hours

INTRODUCED BY:



Report Title:

DOT; Deputy Director of Highways; Advice and Consent

Description:

Requires the Deputy Director of Highways of the Department of Transportation to be subject to the advice and consent of the Senate.

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

