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S.B. NO. 1533-78

A Bill for an Act Relating to In-Service Training Programs.

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

SECTION 1. Findings. The legislature finds that staff development and in-service training programs have an important role in improving the internal operations of state and county government. Presently, three units of state government are involved in statewide and multi-department in-service training and staff development programs: the Hawaii institute for management and analysis in government of the department of budget and finance, the training and safety division of the department of personnel services, and the center for governmental development of the University of Hawaii.

The legislature finds that functional duplication exists among these three entities and that corrective actions are clearly indicated. Legislative concern has resulted in the adoption of three resolutions during the regular session of 1977 which requested the agencies and departments involved to review and evaluate their functions, responsibilities, and authorities, with specific attention directed toward elimination of duplicate programs and services. In response, the three agencies have submitted a report of their findings and recommendations, the key portions of which are summarized as follows:

- (1) Abolish the center for governmental development by repealing sections 81-1 through 81-5, Hawaii Revised Statutes. Center personnel should be allowed to stay with the university or relocate to the department of personnel services.
- (2) The department of personnel services should coordinate all training activities to insure that statewide employee development and training programs are efficient and effective. Within this framework, all training conducted by the department of personnel services and the institute for management and analysis in government (HIMAG) should be reviewed and coordinated to produce a viable and cohesive program designed to meet the needs of state employees.
- (3) The training and safety division of the department of personnel services and HIMAG should conduct a joint survey of statewide training needs. The department of personnel services should be responsible for coordinating the identification of statewide training needs.
- (4) A joint committee, made up of representatives of the training and safety division and HIMAG should be established to develop and manage an overall state training plan, coordinate future course offerings, and make recommendations for updating the state training manual.

Upon reviewing these recommendations and consulting with appropriate agency representatives, the legislature believes that the problems of duplication can be effectively curtailed by their implementation, resulting in an improved approach to the planning, coordination and delivery of staff development and related in-service training programs.

The purpose of this Act is to implement the intent of the foregoing recommendations.

SECTION 2. Chapter 81, Hawaii Revised Statutes, is amended as follows:

1. The title of chapter 81 is amended to read:

“CHAPTER 81 IN-SERVICE TRAINING PROGRAMS”

2. Sections 81-1 to 81-5 are repealed.
3. Three new sections are added to read as follows:

“Sec. 81-1 In-service training. The director of personnel services shall initiate and provide suitable in-service training programs so that the quality of service rendered by government employees may be continually improved. The director shall be responsible for the coordination of the in-service training activities of all departments of government with related activities conducted by the University of Hawaii or the department of education.

Sec. 81-2 Advisory committee on training established. There is established an advisory committee on training to be made up of the director of personnel services; the director of finance; the director of the personnel system of the judiciary; the directors of the personnel departments of the several counties; the dean of continuing education; and three members from among the exclusive representatives of collective bargaining units 1, 2, 3, 4, 9, 10 and 13. The committee shall meet at least quarterly to recommend program plans and strategies for an overall state training plan, assist in coordinating course offerings, and make recommendations for updating the state training manual as necessary; provided that the authority of the committee shall be advisory as opposed to policy-making. The director of personnel services shall chair the committee.

Sec. 81-3 Financing of operations. Funds necessary for the development and operation of in-service training programs and activities shall be provided by general fund appropriations. Additional revenues may be provided through the charging of fees as may be necessary to conduct programs for participating agencies and shall be made part of a revolving fund.”

SECTION 3. Section 76-38, Hawaii Revised Statutes, is repealed.

SECTION 4. **Transfer of officers and employees.** All functions, powers, and duties relating to the center for governmental development, University of Hawaii, are transferred to the department of personnel services.

All officers and employees whose functions are transferred by this Act shall exercise the right to remain with the University of Hawaii or transfer to the department of personnel services and shall continue to perform their regular duties subject to the state personnel laws and this Act.

No officer or employee of the State having tenure shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefits or privileges as a consequence of this Act, and such officer or employee may be transferred or appointed to a civil service position without the necessity of examination; provided that the officer or employee possesses the minimum qualifications for the position to which the officer or employee is transferred or appointed; and provided that subsequent changes in status may be made pursuant to applicable civil service and compensation laws.

An officer or employee of the State who does not have tenure and who may be transferred or appointed to a civil service position as a consequence of this Act

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shall become a civil service employee without the loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefits or privileges and without the necessity of examination; provided that such officer or employee possesses the minimum qualifications for the position to which the officer or employee is transferred or appointed.

In the event that an office or position held by an officer or employee having tenure is abolished, the officer or employee shall not thereby be separated from public employment, but shall remain in the employment of the State with the same pay and classification and shall be transferred to some other office or position for which the officer or employee is eligible under the personnel laws of the State as determined by the president of the University of Hawaii, the director of personnel services, or the governor.

SECTION 5. Transfer of records and equipment. All records, equipment, machines, files, supplies, contracts, books, papers, documents, maps, and other personnel property heretofore made, used, acquired, or held by the center for governmental development, University of Hawaii shall be transferred to the department of personnel services subject to an agreement developed between the University of Hawaii and the department of personnel services and approved by the governor.

SECTION 6. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 7. This Act shall take effect on July 1, 1978.

(Approved May 8, 1978.)

*Edited accordingly.