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ACT 147

H.B. NO. 1393

A Bill for an Act Relating to the Commission on the Status of Women.

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

SECTION 1. Section 26-1, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

“(d) In addition to the functions and duties provided by law, the lieutenant governor shall assume administrative responsibility for [~~the Hawaii state commission on the status of women and~~] the office of information practices.”

SECTION 2. Section 26-14, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

“(d) The housing and community development corporation of Hawaii [is] and the Hawaii state commission on the status of women are placed within the department of human services for administrative purposes only.”

SECTION 3. Section 367-2, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) There is created a [~~temporary~~] state commission on the status of women for a special purpose within the [~~office of the lieutenant governor~~] department of human services for administrative purposes.”

SECTION 4. All rights, powers, functions, and duties of the Hawaii state commission on the status of women are transferred to the department of human services.

All officers and employees whose functions are transferred by this Act shall be transferred with their functions and shall continue to perform their regular duties upon their transfer, 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 benefit or privilege 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 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 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 transferred or appointed.

If 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 head of the department or the governor.

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

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 7. This Act shall take effect upon its approval.

(Approved June 22, 2005.)