

A Bill for an Act Relating to the Hawaii State Public Library System.

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

SECTION 1. Act 51, Session Laws of Hawaii 2004, was to in part transfer the control of certain functions of executive branch agencies that pertained to education personnel and facilities to the department of education to increase operational efficiency of the department while reducing bureaucracy. However, after enactment of Act 51, the department of human resources development continued to provide services to all employees of the Hawaii state public library system and the Hawaii state public library system employees were not a part of or included in the department of education personnel system.

This Act clarifies the intent of Act 51 by amending section 46 of Act 51, Session Laws of Hawaii 2004, to confirm that all personnel in the Hawaii state public library system are within the personnel system administered by the department of human resources development, and are not part of the personnel system administered by the department of education. This Act reaffirms the human resources functions currently performed by the department of human resources development for the Hawaii state public library system. These human resources functions include, but are not limited to: payroll, records, transactions, leave, reports, recruitment, certification, examination, management, classification, and labor relations. Although the department of education and the Hawaii state public library system are controlled and overseen by the board of education, Act 51 was silent regarding all employees of the Hawaii state public library system. The human resources functions of the Hawaii state public library system are best served by the personnel system administered by the department of human resources development, rather than the department of education. In addition, the department of accounting and general services continues to be the expending agency for the Hawaii public library system's capital improvement funds and continues to perform repair and maintenance for the Hawaii public library system.

SECTION 2. Act 51, Session Laws of Hawaii 2004, is amended by amending section 46 to read as follows:

“SECTION 46. (a) All the rights, powers, functions, duties, and resources of:

- (1) The department of accounting and general services relating to capital improvement programs, including the:
  - (A) Expending of capital improvement funds for the acquisition and development of land, the design and construction of new facilities, and the making of renovations or additions to existing facilities, including moneys in the state educational facilities improvement special fund; and
  - (B) Buying, purchasing, renting, leasing, or otherwise acquiring of any good, service, or construction, including the description of requirements, selection and solicitation of sources, preparation and awarding of contracts, payment of vendors, and all other phases of contract administration;
- (2) The department of accounting and general services relating to repair and maintenance functions not transferred to the department of education under section 44 of this Act; and

- (3) The department of human resources development relating to the:
  - (A) Operation of a centralized human resources system that encompasses the classes of work performed by department of education employees, and that integrates payroll, records, transactions, leaves, and reports; and
  - (B) Recruitment, certification, examination, management, classification, and compensation of department of education employees, including labor relations;

are transferred to the department of education effective July 1, 2005, subject to repeal by subsequent legislation.

(b) All moneys budgeted in support of each position to be transferred to the department of education, including moneys for direct and indirect employee benefits, are transferred to the department of education effective July 1, 2005, subject to repeal by subsequent legislation.

(c) This section shall not apply to the Hawaii state public library system and its employees.”

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 24, 2012.)