

STAND. COM. REP. NO.

430

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 1122
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Labor, to which was referred S.B. No. 1122
entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT,"

begs leave to report as follows:

The purpose of this measure is to amend various sections of
Hawaii Revised Statutes to comply with Act 253, Session Laws of
Hawaii 2000, which places restrictions on the creation of civil
service exempt positions and requires an annual review of exempt
positions to determine whether they should be converted to civil
service positions.

Testimony in support of this measure was submitted by one
organization and three individuals. Testimony in opposition to
this measure was submitted by nine state agencies. Comments were
submitted by one state agency. Written testimony presented to the
Committee may be reviewed on the Legislature's website.

Your Committee finds that despite the enactment of Act 253,
Session Laws of Hawaii 2000, few exempt positions have been
converted to civil service positions. According to the Hawaii
Government Employees Association, a review submitted to the 2009
Legislature reported that only thirty-seven exempt positions under
section 76-16(b)(17), Hawaii Revised Statutes, were converted to
civil service between November 1, 2007 and October 31, 2008.

Your Committee notes the concern with this measure's
amendment to section 76-16(b)(17), Hawaii Revised Statutes,

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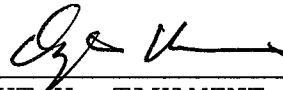
regarding the repeal of exempt positions every three years. Your Committee believes that this issue merits further debate by the Legislature, as this measure is a work in progress intended to advance the timely conversion of exempt positions to civil service positions.

Your Committee has amended this measure:

- (1) By amending the effective date to July 1, 2050 for the purpose of encouraging further discussion; and
- (2) By making technical, nonsubstantive stylistic changes.

As affirmed by the record of votes of the members of your Committee on Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1122, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1122, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Labor,

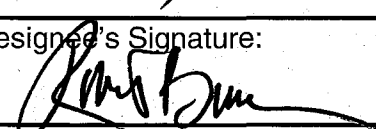


DWIGHT Y. TAKAMINE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Labor
LBR

Bill / Resolution No.:* SB 1122	Committee Referral: LBR, WAM	Date: 2-19-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TAKAMINE, Dwight Y. (C)	<input checked="" type="checkbox"/>			
TANIGUCHI, Brian T. (VC)				<input checked="" type="checkbox"/>
BUNDA, Robert	<input checked="" type="checkbox"/>			
HEE, Clayton	<input checked="" type="checkbox"/>			
SLOM, Sam				<input checked="" type="checkbox"/>
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes