

STAND. COM. REP. NO.

793

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 1122
S.D. 2

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

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 1122, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to convert certain exempt state positions to civil service status.

Your Committee received eight written comments on this measure. The written comments may be reviewed on the Legislature's website.

Your Committee finds that this measure is a follow up to Act 253, Session Laws of Hawaii 2000, which expressly intended to implement two constitutional mandates--that there be a civil service based on merit and that public employees have the right to bargain collectively. Specifically, this measure is, in large part, a section-by-section amendment of Act 300, Session Laws of Hawaii 2006, which authorized, but did not require, that several exempt civil service positions be subject to the civil service laws. This measure requires that those same positions now be subject to the civil service laws.

Your Committee has amended this measure by:

- (1) Correcting text that is inconsistent with the Hawaii Revised Statutes;



- (2) Clarifying that certain exempt positions shall be repealed three years "after it is established" rather than every three years; and
- (3) Conforming certain proposed language to the existing style in the Hawaii Revised Statutes with respect to establishing positions pursuant to civil service laws.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1122, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1122, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

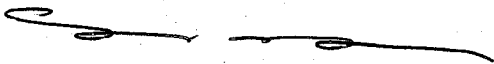


DONNA MERCADO KIM, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1122, SD1	LBR, WAM	MAR 2, 2009		
<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
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
GALUTERIA, Brickwood	/			
HEE, Clayton	/			
HOOSER, Gary L.	/			
KIDANI, Michelle N.		/		
KOKUBUN, Russell S.				/
TOKUDA, Jill N.	/			
HEMMINGS, Fred			/	
TOTAL	9	1	1	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes