

Honolulu, Hawaii

MAY 01 2012

RE: S.B. No. 2214
S.D. 2
H.D. 2
C.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2214, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Clarify that a public employer and an exclusive representative shall negotiate the state and county contribution amounts to the Hawaii employer-union health benefits trust fund for health benefit plans and group life insurance benefits for active employees;
- (2) Remove the prohibition against applying the arbitration procedures of section 89-11, Hawaii Revised Statutes, to resolve impasses or disputes relating to contributions to the Hawaii employer-union health benefits trust fund;



- (3) Establish that a decision of an arbitration panel is final and binding when the parties cannot reach an agreement with respect to the amounts of contributions paid by the State to the Hawaii employer-union health benefits trust fund;
- (4) Repeal the legislative relief option to determine public sector health benefits contributions when an impasse exists regarding the negotiation of state cost issues; and
- (5) Repeal the prohibition against striking over the issue of public sector health benefits contributions.

Your Committee on Conference finds that the existing collective bargaining laws lack an efficient dispute resolution procedure to resolve disagreements over contributions to the Hawaii employer-union health benefits trust fund. Existing law requires that the Legislature determine the pro rata share of each party if the employer and exclusive representative cannot agree on the amount of contributions. This measure will allow disputes over contributions to be resolved through impasse procedures, similar to other negotiable items, including a public employee's right to strike.

Your Committee on Conference has amended this measure by changing the effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2214, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2214, S.D. 2, H.D. 2, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

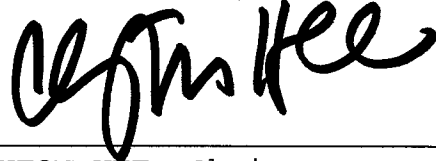


KARL RHOADS, Co-Chair

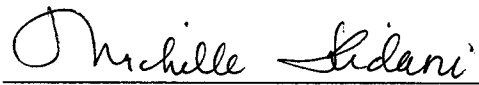


MARCUS R. OSHIRO, Co-Chair

ON THE PART OF THE SENATE



CLAYTON HEE, Chair



MICHELLE KIDANI, Co-Chair



Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 2214, SD 2, HD 2	Date/Time: 4/27/2012 2:45pm
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

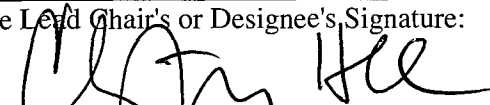
The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.


Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
HEE, Clayton, Chr.	/	/			RHOADS, Karl, Co-Chr.	/	/		
KIDANI, Michelle N., Co-Chr.	/	/			OSHIRO, Marcus R., Co-Chr.	/	/		
SHIMABUKURO, Maile S.L.	/	/			YAMASHITA, Kyle T.				✓
					JOHANSON, Aaron Ling	/			
TOTAL	3				TOTAL	3	0	0	1

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is:
 Adopted Not Adopted

House Recommendation is:
 Adopted Not Adopted

Senate Lead Chair's or Designee's Signature:


House Lead Chair's or Designee's Signature:


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