

STAND. COM. REP. NO.

2663

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2213
S.D. 2

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

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2213, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CIVIL SERVICE,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify the scope of the requirement that, prior to the discharge of an employee from service or release of the employee from the employee's position due to the employee's failure to meet performance requirement, the appointing authority consider a transfer to another position for which the employee is qualified.

The measure clarifies this consideration requirement by limiting the scope of the appointing authority's review to only the positions that are within the appointing authority's department.

Your Committee received written comments in support of this measure from the Department of Human Resources Development and the Hawaii Government Employees Association.

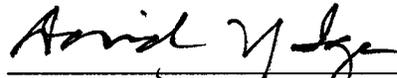
Your Committee finds that this measure properly clarifies the scope of the job search, with respect to a public employee, that an appointing authority has to undertake prior to the discharge of the employee from service, or release of the employee from the employee's position, due to the employee's failure to meet performance requirements.



Your Committee has amended this measure to further clarify that the appointing authority for the public employee must consider another position administered by the appointing authority, rather than a position within the same department of the appointing authority.

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. 2213, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2213, S.D. 2.

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



DAVID Y. IGE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2213, SD1	JDL, WAM	2-27-12		
<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
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.				✓
ENGLISH, J. Kalani	✓			
ESPERO, Will		✓		
FUKUNAGA, Carol	✓			
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.	✓			
RYAN, Pohai		✓		
TOKUDA, Jill N.	✓			
WAKAI, Glenn	✓			
SLOM, Sam			✓	
TOTAL	10	2	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes