

STAND. COM. REP. NO. 860

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 1361
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 1361, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BUDGETING,"

begs leave to report as follows:

The purpose and intent of this measure is to increase transparency in the state budgeting process.

Specifically, the measure:

- (1) Requires information on position ceilings, including the maximum number of permanent and temporary full-time equivalent positions authorized, to be included in the executive budget, the judiciary budget, and related budget documents;
- (2) Prohibits an agency from exceeding its position ceiling, with certain exceptions; and
- (3) Clarifies that the section of law that identifies civil service exempt positions (section 76-16, Hawaii Revised Statutes) does not authorize the creation of any civil service exempt position, and that such a position must be created by law and funded.

Your Committee received written comments on this measure from the Department of Business, Economic Development, and Tourism; the Department of Budget and Finance; the Department of Education; the

SB1361 SD2 SSCR LRB 15-1885-1.doc



Department of Human Resources Development; and the University of Hawaii.

Your Committee finds that, while the measure will assist the Legislature in preparing more fiscally responsible budgets by ensuring that it receives accurate personnel information, the restriction on establishing civil service exempt positions may be overly broad and may consequently hinder the Governor's ability to swiftly react to pressing needs of the State. In light of this finding, your Committee believes it prudent to provide the Governor with the limited authority to allow executive department heads to establish civil service exempt positions for special, research, or demonstration projects, provided that the position can be funded by existing appropriations.

Your Committee has amended this measure by:

- (1) Adding a new section to the civil service laws, to take effect upon approval, to authorize the head of a department to establish and abolish positions for special, research, or demonstration projects; and
- (2) Deleting two sections of the bill relating to the amendment of section 76-16(b), Hawaii Revised Statutes, that would have required express statutory authorization for creation of the positions referenced in that subsection.

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. 1361, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1361, S.D. 2.

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

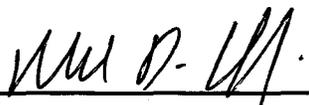


JILL N. TOKUDA, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB1361 SD1	Committee Referral: JDL, WAM	Date: 2/27/15		
<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
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne				✓
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene	✓			
INOUYE, Lorraine R.	✓			
RIVIERE, Gil				✓
RUDERMAN, Russell E.	✓			
SLOM, Sam	✓			
TOTAL	9	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes