

S.B. NO. 2863

JAN 23 2020

A BILL FOR AN ACT

MAKING EMERGENCY APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST
ITEMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART I

2 SECTION 1. This Act is recommended by the governor for
3 immediate passage in accordance with section 9 of article VII of
4 the Constitution of the State of Hawaii.

5 SECTION 2. There are appropriated from the sources of
6 funding indicated below to collective bargaining statewide
7 (BUF 102) the following sums or so much thereof as may be
8 necessary to fund for fiscal biennium 2019-2021 all collective
9 bargaining cost items in the agreement negotiated with the
10 exclusive representative of collective bargaining unit (9):

11	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
12 General funds	\$3,746,536	\$5,372,911
13 Special funds	23,197	30,777
14 Federal funds	43,915	65,359
15 Other federal funds	98,784	139,176
16 Revolving funds	40,706	63,003

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1 PART III

2 SECTION 6. There are appropriated from the sources of
3 funding indicated below to collective bargaining statewide
4 (BUF 102) the following sums or so much thereof as may be
5 necessary to fund for fiscal biennium 2019-2021 the salary
6 increases and other cost adjustments authorized by chapter 89C,
7 Hawaii Revised Statutes, for state officers and employees who
8 are excluded from collective bargaining and belong to the same
9 compensation plans as those officers and employees within
10 bargaining unit (9):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
12 General funds	\$39,601	\$54,080

13 SECTION 7. Funds appropriated by this part shall be
14 allotted by the director of finance to the appropriate state
15 departments for expenditure in the respective fiscal year for
16 the purposes of this part.

17 PART IV

18 SECTION 8. There are appropriated from the sources of
19 funding indicated below to administration (JUD 601) the
20 following sums or so much thereof as may be necessary to fund
21 for fiscal biennium 2019-2021 the salary increases and other
22 cost adjustments authorized by chapter 89C, Hawaii Revised

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1 Statutes, by the chief justice for state officers and employees
2 who are excluded from collective bargaining and belong to the
3 same compensation plans as those officers and employees within
4 bargaining unit (9):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
6 General funds	\$4,544	\$5,752

7 SECTION 9. Funds appropriated by this part shall be
8 expended by the chief justice in the respective fiscal year for
9 the purposes of this part.

10 PART V

11 SECTION 10. There is appropriated from the source of
12 funding indicated below to Hawaii health systems
13 corporation - corporate office (HTH 210) the following sums or
14 so much thereof as may be necessary to fund for fiscal
15 biennium 2019-2021 the collective bargaining cost items in the
16 agreement negotiated with the exclusive representative of
17 collective bargaining unit (9) who is assigned to the Hawaii
18 health systems corporation:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
20 Special funds	\$4,741,994	\$6,501,131

21 SECTION 11. Funds appropriated by this part shall be
22 allotted by the director of finance to the Hawaii health systems

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1 corporation for expenditure in the respective fiscal year for
2 the purposes of this part.

3 PART VI

4 SECTION 12. There is appropriated from the source of
5 funding indicated below to Hawaii health systems
6 corporation - corporate office (HTH 210) the following sums or
7 so much thereof as may be necessary to fund for fiscal
8 biennium 2019-2021 the salary increases and other adjustments
9 authorized by chapter 89C, Hawaii Revised Statutes, for state
10 officers and employees who are excluded from collective
11 bargaining assigned to the Hawaii health systems corporation and
12 belong to the same compensation plans as those officers and
13 employees within bargaining unit (9):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
14 Special funds	\$100,239	\$127,488

16 SECTION 13. Funds appropriated by this part shall be
17 allotted by the director of finance to the Hawaii health systems
18 corporation for expenditure in the respective fiscal year for
19 the purposes of this part.

20 PART VII

21 SECTION 14. Salary increases and cost adjustments provided
22 in this Act for any officer or employee whose compensation is

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1 paid, in whole or in part, from federal, special, or other funds
2 shall be paid wholly or proportionately, as the case may be,
3 from the respective funds.

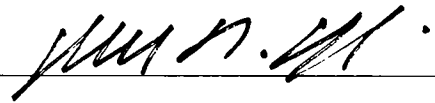
4 SECTION 15. Funds appropriated or authorized by this Act
5 that are not expended or encumbered by June 30, 2021, shall
6 lapse as of that date.

7 SECTION 16. This Act shall take effect upon its approval.

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9

INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be "J. M. N. M.", written over a horizontal line.

10

BY REQUEST

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Report Title:

Emergency Appropriations for Public Employment Cost Items

Description:

Makes emergency appropriations for collective bargaining cost items for the members of Unit (9) and their excluded counterparts, including the cost of salary adjustments negotiated between the State and the bargaining unit representative, for fiscal biennium 2019-2021.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Budget and Finance

TITLE: A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS TO FUND PUBLIC EMPLOYMENT COST ITEMS.

PURPOSE: To make emergency appropriations for collective bargaining cost items and other public employment costs for retroactive increases for the members of Unit (9) and their excluded counterparts, including the cost of salary adjustments negotiated between the State and the bargaining unit representative, for fiscal biennium 2019-2021.

MEANS: By the submittal of a specific appropriation measure.

JUSTIFICATION: Appropriations by the Legislature are necessary to cover the expected cost of implementing the collective bargaining agreement negotiated between the State and the respective bargaining unit representing state public officers and employees for the fiscal biennium that commenced July 1, 2019.

Inasmuch as an agreement with the bargaining unit was not reached in time to include all cost items in the 2019-2021 biennium budget, a separate measure is proposed for submittal to the Legislature. An arbitration award was issued on September 16, 2019, that includes adjustments retroactive to July 1, 2019. An agreement for employer-union trust fund employer contributions was reached and funded prior to the end of the 2019 legislative session.

The general fund appropriation included in this measure has been proposed with consideration of the statutorily defined appropriation ceiling for the Executive Branch pursuant to section 37-92, Hawaii

Revised Statutes. The total proposed appropriations from the general fund (which include the Executive Supplemental Budget for fiscal biennium 2019-2021 and administration proposal BUF-08(20), appropriation for bargaining unit 13 collective bargaining increases to be submitted) exceed the appropriation ceiling by \$14,179,623 or 0.2 percent in fiscal year 2019-2020. Funding requested in this measure for collective bargaining increases for bargaining unit 9 will result in the appropriation ceiling for the Executive Branch to now be exceeded in fiscal year 2019-2020 by an additional \$3,807,419 or 0.05 percent. This current declaration takes into account additional general fund appropriations authorized for fiscal year 2019-2020 in the Executive Supplemental Budget, administration proposal BUF-08(20), and this measure only and does not include other general fund appropriations for fiscal year 2019-2020 that may be authorized for the Executive Branch in other legislation submitted to the Legislature during the regular session of 2020.

The total proposed appropriations from the general fund (which include the Executive Supplemental Budget for fiscal biennium 2019-2021 and administration proposal BUF-08(20), appropriation for bargaining unit 13 collective bargaining increases to be submitted) exceed the appropriation ceiling by \$24,761,740 or 0.3 percent in fiscal year 2020-2021. Funding requested in this measure for collective bargaining increases for bargaining unit 9 will result in the appropriation ceiling for the Executive Branch to now be exceeded in fiscal year 2020-2021 by an additional \$5,456,140 or 0.06 percent. This current declaration takes into account additional general fund appropriations authorized for fiscal

year 2020-2021 in the Executive Supplemental Budget, administration proposal BUF-08(20), and this measure only and does not include other general fund appropriations for fiscal year 2020-2021 that may be authorized for the Executive Branch in other legislation submitted to the Legislature during the regular session of 2020.

Impact on the public: "(I)t is the public policy of the State to promote harmonious and cooperative relations between government and its employees and to protect the public by assuring effective and orderly operations of government. These policies are best effectuated by (1) recognizing the right of public employees to organize for the purpose of collective bargaining, (2) requiring the public employers to negotiate with and enter into written agreements with exclusive representatives on matters of wages, hours, and other conditions of employment, while, at the same time, (3) maintaining merit principles and the principle of equal pay for equal work among state and county employees" (Section 89-1, Hawaii Revised Statutes).

Impact on the department and other agencies: Pay raise and other negotiated cost items are not included in the departments' operating budget request.

GENERAL FUND: FY 20: \$3,807,419
 FY 21: \$5,456,140

OTHER FUNDS: FY 20: \$5,048,835
 FY 21: \$6,926,934

PPBS PROGRAM
DESIGNATION: BUF 102, Collective Bargaining Statewide.
 JUD 601, Administration.
 HTH 210, Hawaii Health Systems
 Corporation - Corporate Office.

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OTHER AFFECTED
AGENCIES:

None.

EFFECTIVE DATE:

Upon approval.