

STAND. COM. REP. NO.

2825

Honolulu, Hawaii

FEB 28 2014

RE: S.B. No. 3099

S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 3099, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to provide for the conversion of certain public employee positions from exempt to civil service status.

Specifically, the measure:

- (1) Amends relevant sections of the Hawaii Revised Statutes to require the conversion of civil service positions to conform to Act 253, Session Laws of Hawaii 2000, and Act 300, Sessions Laws of Hawaii 2006; and
- (2) Requires any civil service exemption created after July 1, 2014 for a position, to expire after three years of its enactment unless affirmatively extended by the Legislature.

Your Committee received written comments in support of this measure from the Hawaii Government Employees Association. Written comments were submitted by the Department of Land and Natural Resources.

Your Committee finds that there are inequities between civil service exempt employees and civil service employees. For

SB3099 SD1 SSCR LRB 14-1736-1.doc



example, exempt employees do not receive step increases in compensation and are not protected from a reduction-in-force. The Hawaii Government Employees Association has stated that the number of voluntary conversions has been small, and therefore, the process has not been effective. This measure mandates the conversion of exempt positions to civil service positions unless the exemption is extended by the Legislature. The purpose is to ensure fair and equitable compensation and benefits for all employees.

Your Committee notes that the State Historic Preservation Division of the Department of Land and Natural Resources has already begun to convert a number of its exempt positions to civil service positions. Your Committee urges the Department of Human Resources Development to work with the Historic Preservation Division to ensure that salaries within the Division are competitive with comparable positions in the private sector or comparable federal civilian positions.

Your Committee intends that the exemption, not position, be subject to expiration, and that the position shall convert to civil service unless the exemption is extended.

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. 3099, S.D. 1, and recommends that it pass Third Reading.


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

  
\_\_\_\_\_  
DAVID Y. IGE Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:
SB 3099, SB1	JDL, WAM	2-25-14
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input 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	✓	
KAHELE, Gilbert	✓	
KEITH-AGARAN, Gilbert S.C.	✓	
KOUCHI, Ronald D.		✓
RUDERMAN, Russell E.	✓	
THIELEN, Laura H.	✓	
TOKUDA, Jill N.	✓	
SLOM, Sam		✓
	10	1
		0
		2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 		
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy		

\*Only one measure per Record of Votes