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# A BILL FOR AN ACT

EXPERIMENTAL MODERNIZATION PROJECTS.

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

1           SECTION 1. Section 78-3.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           " [+]§78-3.5[+] **Experimental modernization projects.** (a)

4 It is the intent of this section to encourage and facilitate  
5 improvements in the human resource programs of the several  
6 jurisdictions. With the approval of the [~~chief executive~~]  
7 respective governing board of the qualifying board of water  
8 supply, the director may conduct experimental modernization  
9 projects to determine whether specific changes in its human  
10 resource program would result in a more desirable program for  
11 the jurisdiction.

12           (b) Prior to the implementation of any experimental  
13 modernization project, the director shall:

14           (1) Develop a plan identifying the purposes of the  
15 project, the methodology to be used, the duration of  
16 the project, the criteria for evaluation of the  
17 project, and the cost of the project, if any;



1 (2) Consult with the employees who would be involved in  
2 the conduct of the project; and

3 (3) Negotiate with the exclusive representative if a  
4 modification or waiver of any provision in a  
5 collective bargaining agreement is necessary to  
6 conduct the project.

7 (c) While the project is in progress, it shall not be  
8 limited by state or local personnel laws and rules, but shall be  
9 in compliance with all equal employment opportunity laws and  
10 laws prohibiting discrimination.

11 (d) This section shall not be used to replace any civil  
12 service employee.

13 SECTION 2. Section 78-3.6, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 "[+]§78-3.6 **Experimental modernization projects; county**  
16 **boards of water supply**[+] It is the intent of this section to  
17 encourage and facilitate improvements in the human resource  
18 programs of qualifying boards of water supply. With [~~e~~  
19 ~~without~~] the approval from the [~~chief executive~~] respective  
20 governing board of the qualifying board of water supply, the  
21 director of any qualifying board of water supply may conduct  
22 experimental modernization projects to determine whether



1 specific changes in its human resource program would result in a  
2 more desirable program for the jurisdiction.

3 Prior to the implementation of any experimental  
4 modernization project, the director of any qualifying board of  
5 water supply shall:

- 6 (1) Develop a plan identifying:
- 7 (A) The purpose of the project;
  - 8 (B) The methodology to be used;
  - 9 (C) The duration of the project;
  - 10 (D) The criteria for evaluation of the project; and
  - 11 (E) The cost of the project, if any; and
- 12 (2) Consult and negotiate with the exclusive  
13 representative if a modification or waiver of any  
14 provision in a collective bargaining agreement,  
15 including any new provision, is necessary to conduct  
16 the project.

17 The representative of the qualifying board of water supply  
18 and the exclusive representative shall mutually agree in writing  
19 to any modification, waiver, or new provision before the project  
20 is implemented.

21 While the board of water supply project is in progress, it  
22 shall not be limited by state or local personnel laws and rules,



1 but shall be in compliance with all equal employment opportunity  
2 laws, laws prohibiting discrimination, and chapter 89.

3 This section shall not be used to replace any civil service  
4 employee.

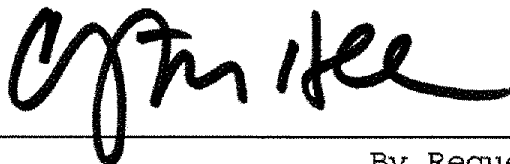
5 For purposes of this section, "qualifying board of water  
6 supply" means any county board of water supply serving a  
7 population of 500,000 or more persons."

8 SECTION 3. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_



By Request



**Report Title:**

Experimental Modernization Project

**Description:**

Amending Sections 78-3.5 and 78-3.6

