

Honolulu, Hawaii
Feb 4, 2008

RE: H.B. No. 1979
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 1979 entitled:

"A BILL FOR AN ACT RELATING TO STATE SALARIES,"

begs leave to report as follows:

The purpose of this bill is to provide fairness in the process of collecting moneys owed to the state or county by a State officer, agent, or employee, by establishing a three year statute of limitations for the recovery of overpayment of state salaries.

The Hawaii Government Employees Association and Hawaii State Teachers Association testified in support of this bill. A concerned individual testified in support of the intent of this measure. The Department of Accounting and General Services opposed this bill.

Collecting overpayments of a State employee's salary can be an arduous, and oftentimes difficult task, especially when the overpayment is the result of miscalculations by State. If this error goes undetected by either party for a number of years, it can make the process all that more difficult.

Under current law, the State is provided with an unlimited amount of time to collect overpayments it made to State employees. However, if an underpayment of a State employee's salary is made, the employee is allowed only certain window of opportunity to file



a claim. Limiting the time the State has to pursue reimbursement of a salary overpayment made to a State employee brings fairness to this process.

Your Committee has amended this measure by:

- (1) Changing the period of time over which the State or county is allowed to recover employee debts from three years to two years; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1979, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1979, H.D. 1, and be referred to the Committee on Finance.

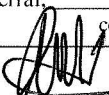
Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



ALEX M. SONSON, Chair



Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 1979	Committee Referral: LAB, FIN	Date: 1/25/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. SONSON, Alex M. (C)	X			
2. NAKASONE, Bob (VC)				X
3. EVANS, Cindy	X			
4. HAR, Sharon E.	X			
5. LEE, Marilyn B.	X			
6. LUKE, Sylvia	X			
7. McKELVEY, Angus L.K.	X			
8. NISHIMOTO, Scott Y.	X			
9. SOUKI, Joseph M.				X
10. TAKAMINE, Dwight Y.	X			
11. TAKUMI, Roy M.	X			
12. MEYER, Colleen Rose		X		
13. PINE, Kymberly Marcos	X			
TOTAL (13)	10	1		2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral _____ did not support recommendation. _____ committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				