

STAND. COM. REP. NO.

1313

Honolulu, Hawaii

MAR 23 2007

RE: H.B. No. 859
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 859, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to allow collective bargaining agreements relating to public employees, in effect on or after July 1, 2007, to include certain permissible and certain required provisions, the contents of section 89-9, Hawaii Revised Statutes, notwithstanding.

Specifically, this measure directs collective bargaining agreements for public employees in effect on or after July 1, 2007, to:

- (1) Allow negotiated provisions relating to the procedures and criteria on promotions, transfers, assignments, demotions, layoffs, suspensions, terminations, discharge, or other disciplinary actions; and
- (2) Require negotiated provisions relating to the impact of transfers, assignments, and layoffs.

Your Committee received testimony in opposition to this measure from the Department of Human Services; the Hawaii State Judiciary; the Department of Human Resources, County of Hawaii; the Honolulu Fire Department, City and County of Honolulu; the

HB859 SD1 SSCR LRB 07-3652.doc



Fire Department, County of Hawaii, and the Fire Department, County of Kauai.

Your Committee has amended this measure by deleting its contents and inserting in its place the contents of Senate Bill No. 1642, S.D.1, which has the effect of removing the mandatory requirement that negotiations relating to a collective bargaining agreement for public employees include negotiations over the impact of transfers, assignments, and layoffs.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 859, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 859, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,

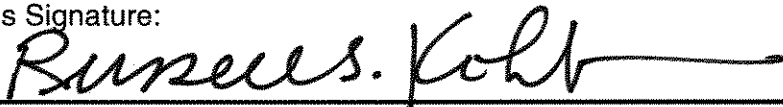


CLAYTON HEE, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 859 HD2	JDL, WAM	3/22/07		
<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
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
INOUYE, Lorraine R.	/			
NISHIHARA, Clarence K.				/
GABBARD, Mike	/			
TOTAL	4			1
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	
	File with Committee Report	Clerk's Office	Drafting Agency	

*Only one measure per Record of Votes