

STAND. COM. REP. NO.

1645

Honolulu, Hawaii

APR 05 2007

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

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

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 859, H.D. 2, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to clarify that certain statutory actions shall not be used to invalidate collective bargaining agreements in effect on and after June 30, 2007 and that such actions may be included in collective bargaining agreements.

Your Committee received comments in support of this measure from the Hawaii Government Employees Association/AFSCME and the Hawaii State Teachers Association. The Department of Human Resources Development, the Office of Collective Bargaining, the Department of Transportation, the Department of Education, the Judiciary, the City and County of Honolulu Police Department, the Department of Human Resources of the County of Hawaii, and the County of Hawaii Police Department offered comments in opposition.

Your Committee finds that this measure clarifies the scope of permissible topics of negotiation in the existing collective bargaining law between the public employer and the exclusive representative of the bargaining unit by clarifying which topics are not excluded in those negotiations.



Your Committee has amended this measure by:

- (1) Changing the effective date of the measure to July 1, 2007; and
- (2) Correcting the date of reenactment of section 89-9(d), Hawaii Revised Statutes, from July 1, 2007 to July 1, 2008.

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 H.B. No. 859, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 859, H.D. 2, S.D. 2.


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

  
ROSALYN H. BAKER, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

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

Bill / Resolution No.:* <b>HB059 HD2, SDI</b>	Committee Referral: <b>JDL, WAM</b>	Date: <b>4/3/07</b>		
<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
BAKER, Rosalyn H. (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
HOOSER, Gary L.	/			
KIM, Donna Mercado		/		
MENOR, Ron	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred			/	
WHALEN, Paul			/	
<b>TOTAL</b>	<b>8</b>	<b>1</b>	<b>2</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:            Original            Yellow            Pink File with Committee Report            Clerk's Office            Drafting Agency				

\*Only one measure per Record of Votes