

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 1926  
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 Ways and Means, to which was referred S.B. No. 1926 entitled:

"A BILL FOR AN ACT RELATING TO WHISTLEBLOWERS' PROTECTION,"

begs leave to report as follows:

The purpose of this measure is to create a whistleblower protection act specifically applicable to public employees.

The measure also gives the Ombudsman responsibility over investigations and notices and appropriates funds to the Ombudsman to prescribe the required notices.

Your Committee received comments in support of this measure from the Hawaii Government Employees Association, the League of Women Voters of Hawaii, the ILWU Local 142, and a concerned citizen. The Ombudsman submitted comments on the measure.

Your Committee finds that this measure is a rational extension of the current Whistleblower's Protection Act and will promote the public interest by affording protections to persons within government who provide valuable internal criticism of the operation of government itself.

Your Committee has amended this measure by:

- (1) Changing the title of the new subpart to "Special Provisions Applicable to Only Public Employment" to more accurately reflect the contents;



- (2) Giving enforcement jurisdiction over the new subpart to the Department of Labor and Industrial Relations rather than to the Ombudsman, and appropriating funds to the Department of Labor and Industrial Relations rather than the Ombudsman;
- (3) Providing that jurisdiction will rest with the Department of the Attorney General if the Department of Labor and Industrial Relations is the public employer being complained of in the public employee's complaint.

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. 1926, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1926, S.D. 1, and be placed on the calendar for Third Reading.

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.:*	Committee Referral:	Date:		
SB 1926	WAM	2/26/07		
<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
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>	8	0	0	3
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