

STAND. COM. REP. NO. 36

Honolulu, Hawaii

Feb 5, 2009

RE: H.B. No. 111

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 111 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 two-year statute of limitations for the recovery of overpayment of state salaries.

The Hawaii Government Employees Association, Hawaii State Teachers Association, and a concerned individual testified in support of this bill. The Department of Accounting and General Services submitted comments on 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 the 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 a certain window of opportunity to file a claim. Limiting the time the State has to pursue

HB111 HSCR LAB HMS 2009-1665



reimbursement of a salary overpayment made to a state employee brings fairness to this process.

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. 111 and recommends that it pass Second Reading and be referred to the Committee on Finance.

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



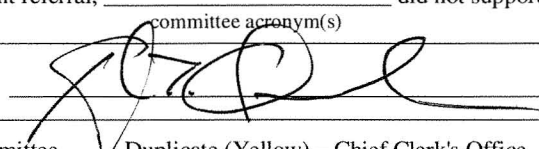
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KARL RHOADS, Chair



State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: <b>HB 111</b>	Committee Referral: <b>LAB, FIN</b>	Date: <b>1-30-09</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input 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. RHOADS, Karl (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. AWANA, Karen Leinani	/			
5. HANOHANO, Faye P.	/			
6. KEITH-AGARAN, Gilbert S.C.	/			
7. LEE, Marilyn B.	/			
8. NAKASHIMA, Mark M.	/			
9. SAIKI, Scott K.	/			
10. SOUKI, Joseph M.				/
11. TAKUMI, Roy M.	/			
12. PINE, Kymerly Marcos	/			
<b>TOTAL (12)</b>	<b>11</b>	<b>-</b>	<b>-</b>	<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				