

STAND. COM. REP. NO.

1268

Honolulu, Hawaii

APR 09 2009

RE: H.B. No. 541  
H.D. 1  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 541, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL,"

begs leave to report as follows:

The purpose of this measure is to temporarily extend civil service benefits and rights to Department of Education employees until the Department establishes a permanent civil service system.

Your Committee received three written comments on this measure. Written comments may be reviewed on the Legislature's website.

Your Committee finds that the Department of Education has not established the separate civil service system that was authorized under Act 51, Session Laws of Hawaii 2004, the Reinventing Education Act of 2004. Act 51 was intended to provide the Department of Education with autonomy in several areas including civil service and employment.

This measure allows Department of Education employees to remain civil service employees until a permanent civil service system is established by the Department of Education.

Your Committee believes that the Department of Education should be able to complete this project by June 30, 2010, but that if the project cannot be completed within the prescribed

HB541 SD1 SSCR LRB 09-3397.doc



timetable, the Department of Education should be held to account for the delay.

Accordingly, your Committee has amended this measure by:

- (1) Temporarily extending the sunset date to June 30, 2010, for civil service benefits and rights for Department of Education employees;
- (2) Requiring a report by the Department of Education to the Legislature if the civil service system project is not completed by June 30, 2010; and
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on this measure.

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. 541, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 541, H.D. 1, S.D. 1.

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




DONNA MERCADO KIM, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

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

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 541 HD1	LBR/EDH, WAM	APRIL 3 2009		
<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
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani				/
FUKUNAGA, Carol	/			
GALUTERIA, Brickwood	/			
HEE, Clayton	/			
HOOSER, Gary L.	/			
KIDANI, Michelle N.	/			
KOKUBUN, Russell S.	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred				/
<b>TOTAL</b>	10			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
				
<b>Distribution:</b>				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

\*Only one measure per Record of Votes