

STAND. COM. REP. NO. 92

Honolulu, Hawaii

FEB 18 2009

RE: S.B. No. 165
S.D. 1

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

Madam:

Your Committees on Education and Housing and Labor, to which was referred S.B. No. 165 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL CAFETERIA WORKERS,"

beg leave to report as follows:

The purpose of this measure is to clarify that public school cafeteria workers employed after July 1, 2009, will be compensated for a ten-month period and compensation will be prorated over a twelve-month period. Cafeteria workers employed prior to July 1, 2009, will continue to receive compensation over a twelve-month period.

Testimony in support of this measure was submitted by one state agency. Copies of written testimony are available for review on the Legislature's website.

Your Committees have heard that the gradual conversion of cafeteria workers from 12-month positions to 10-month positions will slow the rate of increase of Department of Education food service costs without affecting current employees. The Department anticipates that the 10-month positions will reduce the need for substitutes, as 12-month cafeteria workers may take their vacation at any time, which necessitates the hiring of substitutes if the cafeteria is operating. Ten-month cafeteria workers, like teachers, will not take vacation while school is in session.

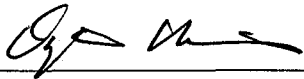


While your Committees understand the intent of the measure, members raised concerns regarding the 10- and 12-month designation. The school calendar has undergone a number of changes in recent years, and is likely to do so again. Specifying a 10-month period may require the Department to amend the law should the school calendar change significantly.

Your Committees have amended this measure to give the Department more flexibility by changing the references of a 10-month period to school-year period and of a 12-month period to calendar-year period.

As affirmed by the records of votes of the members of your Committees on Education and Housing and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 165, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 165, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Education and
Housing and Labor,



DWIGHT Y. TAKAMINE, Chair



NORMAN SAKAMOTO, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

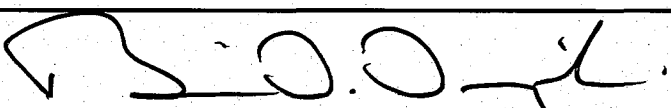
Record of Votes
Committee on Education and Housing
EDH

Bill / Resolution No.:* SB 1105	Committee Referral: EDH/LBR, WAM	Date: 2/11/09		
<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
SAKAMOTO, Norman (C)	✓			
KIDANI, Michelle N. (VC)				✓
CHUN OAKLAND, Suzanne	✓			
GALUTERIA, Brickwood	✓			
TSUTSUI, Shan S.	✓			
HEMMINGS, Fred				✓
TOTAL	4	0	0	2
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;"> <i>Suzanne Chun Oakland</i> </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Labor
LBR

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 165	EDH/LBR, WAM	2-11-89		
<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
TAKAMINE, Dwight Y. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
BUNDA, Robert	✓			
HEE, Clayton				✓
SLOM, Sam				✓
TOTAL	3	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes