

LINDA LINGLE
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LATE TESTIMONY

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January 27, 2010

TESTIMONY (WRITTEN ONLY) TO THE
HOUSE COMMITTEES ON EDUCATION, HIGHER EDUCATION, AND LABOR AND
PUBLIC EMPLOYMENT

For Hearing on Wednesday, January 27, 2010
2:00 p.m., Conference Room 309

BY

MARIE C. LADERTA, DIRECTOR

House Bill No. 2203, Relating to Civil Service

TO CHAIRPERSONS ROY M. TAKUMI, JERRY L. CHANG, KARL RHOADS, AND
MEMBERS OF THE COMMITTEES:

The stated purpose of HB 2203 is to ensure that the civil service benefits of Department of Education (DOE) civil service employees are the same as those provided to civil service employees of other executive branch agencies pursuant to Chapter 76, Hawaii Revised Statutes. However, HB 2203 in effect seeks to reauthorize and make permanent Act 221, Session Laws of Hawaii (SLH) 2005, which ended on June 30, 2009. The Department of Human Resources Development (DHRD) strongly opposes HB 2203 for the following reasons:

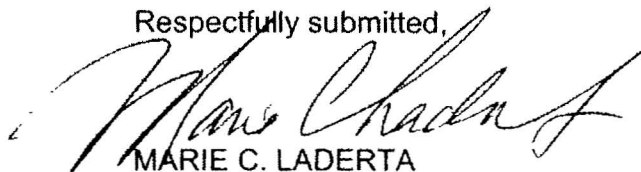
1. Act 51, SLH 2004, granted the DOE the full authority and responsibility to establish their own civil service system separate and apart from the civil service system administered by DHRD to accomplish the autonomy, flexibility, and self-governance sought by the DOE. The DOE differs from the DHRD-administered civil service system and has unique staffing needs; therefore, the DOE should be striving for full compliance with Act 51, SLH 2004.

2. Like the DOE, the Hawaii Health Systems Corporation (HHSC) is part of the Executive Branch, and yet, HHSC has promulgated its own set of administrative rules that took effect on July 1, 1996. Since then, HHSC has maintained its own separate civil service system that is self-governing from the DHRD's system. HB 2203 will provide the DOE with additional civil service rights and benefits that are not afforded to HHSC.
3. HB 2203 will place a heavy burden on DHRD's significantly-reduced staff and resources. Consequently, should HB 2203 become law, DHRD cannot concurrently address or support the ongoing needs of the DOE civil service system without negatively affecting the delivery of services to Executive Branch departments and programs.

For the reasons provided above, we respectfully ask that the Legislature defer HB 2203 and instead consider the passage of HB 2552 and its companion SB 2705, Relating to Education Governance. These bills include provisions that would allow the DOE civil service employees to have the same benefits as other executive branch agency civil service employees when the DOE joins the executive branch as a cabinet level agency.

Thank you for the opportunity to testify.

Respectfully submitted,



MARIE C. LADERTA