

JAN 26 2011

S.B. NO. 1251

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# A BILL FOR AN ACT

MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 PART I

2 SECTION 1. There are appropriated or authorized from the  
3 sources of funding indicated below to program planning,  
4 analysis, budgeting (BUF 101) the following sums, or so much  
5 thereof as may be necessary, to fund for fiscal  
6 biennium 2011-2013 all collective bargaining cost items in the  
7 agreement negotiated with the exclusive bargaining  
8 representative of collective bargaining unit 4:

9		<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
10	General Funds	-0-	-0-
11	Special Funds	-0-	-0-
12	Federal Funds	-0-	-0-
13	Other Funds	-0-	-0-

14 Of the above amounts, the following amounts are for the  
15 department of education:

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	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
1		
2	General Funds	-0-
3	Special Funds	-0-
4	Federal Funds	-0-
5	Other Funds	-0-

6 SECTION 2. Funds appropriated or authorized by this part  
7 shall be allotted by the director of finance to the appropriate  
8 state departments in the respective fiscal year for the purposes  
9 of this part.

10 PART II

11 SECTION 3. There are appropriated or authorized from the  
12 sources of funding indicated below to administrative director  
13 services (JUD 601) the following sums, or so much thereof as may  
14 be necessary, to fund for fiscal biennium 2011-2013 all  
15 collective bargaining cost items in the agreement negotiated  
16 with the exclusive bargaining representative of collective  
17 bargaining unit 4:

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
18		
19	General Funds	-0-
20	Special Funds	-0-
21	Federal Funds	-0-

22 SECTION 4. Funds appropriated or authorized by this part  
23 shall be allotted by the chief justice in the respective fiscal  
24 year for the purposes of this part.

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1 PART III

2 SECTION 5. There are appropriated or authorized from the  
3 sources of funding indicated below to program planning,  
4 analysis, budgeting (BUF 101) the following sums, or so much  
5 thereof as may be necessary, to fund for fiscal  
6 biennium 2011-2013, the salary increases and other cost  
7 adjustments authorized by chapter 89C, Hawaii Revised Statutes,  
8 for state officers and employees excluded from collective  
9 bargaining:

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
11 General Funds	-0-	-0-
12 Special Funds	-0-	-0-
13 Federal Funds	-0-	-0-
14 Other Funds	-0-	-0-

15 Of the above amounts, the following amounts are for the  
16 department of education:

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
18 General Funds	-0-	-0-
19 Special Funds	-0-	-0-
20 Federal Funds	-0-	-0-
21 Other Funds	-0-	-0-

22 SECTION 6. Funds appropriated or authorized by this part  
23 shall be allotted by the director of finance to the appropriate

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1 state departments in the respective fiscal year for the purposes  
2 of this part.

3 PART IV

4 SECTION 7. There is appropriated or authorized from the  
5 sources of funding indicated below to administrative director  
6 services (JUD 601) the following sums, or so much thereof as may  
7 be necessary, to fund for fiscal biennium 2011-2013, the salary  
8 increases and other cost adjustments authorized by chapter 89C,  
9 Hawaii Revised Statutes, by the chief justice for state officers  
10 and employees excluded from collective bargaining:

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
11		
12	-0-	-0-
13	-0-	-0-
14	-0-	-0-

15 SECTION 8. The sums appropriated or authorized by this  
16 part shall be allotted by the chief justice in the respective  
17 fiscal year for the purposes of this part.

18 PART V

19 SECTION 9. There are appropriated or authorized from the  
20 sources of funding indicated below to program planning,  
21 analysis, and budgeting (BUF 101) the following sums, or so much  
22 thereof as may be necessary, to fund for fiscal  
23 biennium 2011-2013, the collective bargaining cost items in the  
24 agreement negotiated for state employees in collective

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1 bargaining unit 4 assigned to the Hawaii health systems  
2 corporation:

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
4 General Funds	-0-	-0-

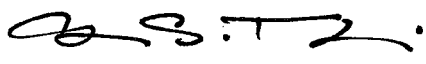
5 SECTION 10. Funds appropriated or authorized by this part  
6 shall be allotted by the director of finance to the Hawaii  
7 health systems corporation for the purposes of this part.

8 PART VI

9 SECTION 11. Salary increases and cost adjustments provided  
10 in this Act for any officer or employee whose compensation is  
11 paid, in whole or in part, from federal, special, or other funds  
12 shall be paid wholly or proportionately, as the case may be,  
13 from the respective funds.

14 SECTION 12. Funds appropriated or authorized by this Act  
15 that are not expended or encumbered by June 30, 2012, and  
16 June 30, 2013, of the respective fiscal years, shall lapse as of  
17 those dates.

18 SECTION 13. This Act shall take effect on July 1, 2011.

19  
20 INTRODUCED BY:   
21 BY REQUEST

**Report Title:**

Appropriations for Collective Bargaining Cost Items

**Description:**

To provide fund authorizations and appropriations for collective bargaining cost items for Unit 4 and their excluded counterparts, including the cost of salary adjustments negotiated between the State and the bargaining unit representative for fiscal biennium 2011-2013.

JUSTIFICATION SHEET

DEPARTMENT: Budget and Finance

TITLE: A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.

PURPOSE: To provide fund authorizations and appropriations for collective bargaining cost items for Unit 4 and their excluded counterparts, including the cost of salary adjustments negotiated between the State and the bargaining unit representative for fiscal biennium 2011-2013.

MEANS: By the submittal of a specific appropriation measure.

JUSTIFICATION: Fund authorizations and appropriations by the legislature are necessary to cover the expected cost of implementing the collective bargaining agreement negotiated between the State and the respective bargaining unit representing State public officers and employees for the fiscal biennium commencing July 1, 2011.

Inasmuch as an agreement with the bargaining unit is not expected in time to include the cost items in the 2011-2013 biennium budget, a separate measure is proposed for submittal to the legislature.

Impact on the public: "(I)t is the public policy of the State to promote harmonious and cooperative relations between government and its employees and to protect the public by assuring effective and orderly operations of government. These policies are best effectuated by (1) recognizing the right of public employees to organize for the purpose of collective bargaining, (2) requiring the public employers to negotiate with and enter into written agreements with exclusive representatives on matters of wages, hours, and other conditions of employment, while,

at the same time, (3) maintaining merit principles and the principle of equal pay for equal work among state and county employees . . ." (Section 89-1, HRS).

Impact on the department and other agencies:

Pay raise and other negotiated cost items are not included in the departments' operating budget request.

GENERAL FUND: To be determined.

OTHER FUNDS: To be determined.

PPBS PROGRAM  
DESIGNATION: BUF 101, Program Planning, Analysis,  
Budgeting.  
JUD 601, Administrative Director Services.

OTHER AFFECTED  
AGENCIES: Judiciary.

EFFECTIVE DATE: July 1, 2011.